



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes: OPR MNR, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for orders as follows:

- An order of possession pursuant to Section 55;
- A monetary order for unpaid rent pursuant to Section 67;
- An order to recover the filing fee pursuant to Section 72.

This matter was set for a conference call hearing at 1:30 a.m. on this date. The landlord attended the hearing. The tenant did not attend the hearing. The landlord had not submitted any documentary evidence prior to the hearing and therefore there were no copies of the notice to end tenancy, proof of tenancy and proof of service on file. Moreover, at the commencement of the hearing, it became evident that the applicant was unable to communicate and offer relevant testimony due to a language barrier. The issue of service was not established. The landlord was offered an opportunity to call back in with an interpreter, but declined to do so. In the light of the above and in the absence of any evidence or submissions, I am not prepared to make any findings on the merits of the matter and I order the application dismissed with liberty to reapply. Liberty to reapply is not an extension of any applicable limitation period.

Dated January 06, 2009.

Dispute Resolution Officer