



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNR, MNSD, OPR, FF

This hearing dealt with the landlord's request for an Order of Possession for unpaid rent, a Monetary Order for unpaid rent, retention of the security deposit and recovery of the filing fee. The tenant did not appear at the hearing. The landlord testified that he served the tenant with the hearing package by posting it on the rental unit door. The landlord could not provide the date the hearing package was posted.

The landlord testified the tenant had vacated the rental unit in early May 2009 and no longer requires an Order of Possession.

Where a landlord makes a monetary claim against a tenant, section 89(1) of the Act requires the landlord to serve the tenant with the hearing package in person or by registered mail addressed to the tenant's residence or to the forwarding address provided by the tenant. Posting the hearing package on the rental unit door is not sufficient service for a monetary claim and I dismiss the landlord's monetary claim with leave to reapply.

The landlord requested information about dealing with property abandoned by the tenant. The landlord was referred to the Residential Tenancy Regulations for abandoned property rules and to contact an Information Officer with the Residential Tenancy Branch for assistance. The Residential Tenancy Branch may be contacted by telephone, email or in person. Our website [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca) provides for the contact information.



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This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 02, 2009.

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Dispute Resolution Officer