

Decision

Dispute Codes:

MND

MNR

MNSD

FF

Introduction

I have been delegated authority under section 9.1 of the *Residential Tenancy Act* (the “Act”) to hear this matter and decide the issues.

Issues to be Decided

This is the Landlord’s application for a monetary order for unpaid rent and damages; to keep the security deposit paid by the Tenant; and to recover the filing fee from the Tenant for the cost of the application.

Background and Evidence

The Landlord was not able to provide proof that the Tenant was served with the Notice of Hearing documents.

Analysis

The Landlord did not prove service of the Notice of Hearing documents. The Tenant did not appear at the Hearing. Therefore, the Landlord’s application was dismissed.

Conclusion

The Landlord's application is dismissed with leave to re-apply.

June 10, 2009
