

Decision

Dispute Codes:

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.

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

Issue(s) to be Decided

- (1) Is the Landlord entitled to a monetary order and to retain the security deposit?
- (2) Is the Landlord entitled to recover the filing fee from the Tenant?

Background and Evidence

Landlord’s testimony

The Landlord was uncertain with respect to the date of service of the Notice of Hearing documents upon the Tenant.

The Tenant moved out of the rental unit on February 15, 2009.

The Landlord did not provide any written evidence with respect to damages to the rental unit.

Analysis

The Landlord was not successful in proving service of the Notice of Hearing documents upon the Tenant. The Tenant did not appear at the Hearing. Therefore, the Landlord's application is dismissed.

Conclusion

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

June 22, 2009
