



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This matter was set to hear the landlords' application for an Order of Possession a Monetary Order for unpaid rent and utilities and to recover the filing fee for this proceeding. The landlord also applied to keep all or part of the security deposit.

Service of the hearing documents was done in accordance with section 89 of the *Act*. They were given to the tenant in person on May 22, 2009. The tenant did not appear at today's hearing and the landlord is unable to provide any evidence that the tenant was properly served either the 10 Day Notice to End Tenancy or the Notice of his application and today's hearing.

Therefore, due to the above I dismiss the landlords' application at this time with leave to reapply.

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 29, 2009.

Dispute Resolution Officer