



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes:

OP, MNR, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application for an Order of possession, a monetary Order for unpaid rent and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

Preliminary Matters

The Agent for the landlord stated that copies of the Application for Dispute Resolution and Notice of Hearing were sent to a postal box mailing address used by the tenants. The landlord testified that only one hearing package was sent to the tenants via registered mail. The landlord was unable to provide evidence as to which tenant may have been served with notice of this hearing.

Residential Tenancy Branch Rules of Procedure require that together with a copy of the Application for Dispute Resolution, the applicant must serve each respondent with the required hearing documents. Service by registered mail is deemed completed on the 5th day after mailing; however, I can not determine which tenant may have been served for the purposes of a monetary claim and the landlord request for an Order of possession. Therefore; this Application for Dispute Resolution is dismissed with leave to reapply.

Conclusion

The landlord's Application for Dispute Resolution is dismissed with leave to reapply

Dated July 09, 2009.

Dispute Resolution Officer