



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and a Monetary Order for unpaid rent and utilities as well as to recover the filing fee for this proceeding. The hearing started as scheduled at 9:00 a.m., however, by 9:10 a.m., neither party had dialled into the conference call.

On July 15, 2009, the Landlord was granted an Order of Possession and Monetary Order for unpaid rent pursuant to a direct request application. On a Review of that Decision issued on July 30, 2009, the Order of Possession was held to be valid and enforceable, however, the Monetary Order for unpaid rent was cancelled and the Landlord was given leave to reapply.

Consequently, I find that since the Landlord has already been granted an Order of Possession, her application for the same in this matter is dismissed without leave to reapply. However, as there has been no hearing into the merits of the Landlord's application for a monetary order for unpaid rent since the previous order was cancelled, that part of the Landlord's application is dismissed with leave to reapply.

Conclusion

The Landlord's application for an Order of Possession is dismissed without leave to reapply. The Landlord's application for a Monetary Order for unpaid rent is dismissed 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: August 21, 2009.

Dispute Resolution Officer