



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPC, MND, MNSD, FF

Introduction

This hearing was set to deal with an application by the landlord for an Order of Possession and a Monetary Order for damages to the unit 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, by the landlord to the tenant, was done in person on September 11, 2009. However, the tenant did not appear at the hearing and the landlord was unable to provide evidence that the tenant was served in accordance with section 89 of the Act. Having failed to determine if the tenant had received notice of today's hearing the landlords application 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: October 02, 2009.

Dispute Resolution Officer