



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

### Dispute Codes:

MNR

### Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for a monetary Order for unpaid rent.

### Issue(s) to be Decided

The issue to be decided is whether the Landlord is entitled to an Order of Possession for unpaid rent, pursuant to section 67 of the *Residential Tenancy Act (Act)*.

### Background and Evidence

The Landlord stated that copies of the Application for Dispute Resolution and Notice of Hearing for each Tenant were placed in one envelope, which was sent to the service address noted on the Application, via registered mail, on July 31, 2009. Neither Tenant attended the hearing.

### Analysis

The Landlord has applied for a monetary Order which requires that the Landlord serve each respondent with a copy of the Application for Dispute Resolution and Notice of Hearing, as set out under Section 3.1 of the Residential Tenancy Branch Rules of Procedures. In these circumstances, the Landlord mailed one package that was addressed to both Tenants at the rental unit. The package was not delivered to either Tenant and I cannot, therefore, conclude that either one of the Tenants was properly served with notice of this hearing.

Conclusion

As the Landlord has not served either Tenant with proper notice of this hearing, I hereby dismiss the Landlord's Application for Dispute Resolution, 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: November 19, 2009.

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Dispute Resolution Officer