

## **Decision**

### **Dispute Codes:**

OPR, MNR; MNSD; FF

### **Introduction**

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent; to apply the security deposit in partial satisfaction of its monetary award; and to recover the cost of the filing fee from the Tenant. The matter was originally before a Dispute Resolution Officer by way of a Direct Request Proceeding on December 4, 2009. The Dispute Resolution Officer adjourned the matter to a participatory Hearing in light of uncertainty regarding the identity of the Tenants.

### **Preliminary Matters**

This application was scheduled to be heard via teleconference on January 15, 2010 at 9:00 a.m. At 9:10 a.m., the Tenants had still not signed into the teleconference. The Landlord was not able to prove service of the Notice of Hearing documents upon the Tenant.

The Landlord's agent advised of the correct spelling of the Landlord's name, and its Application was amended accordingly.

### **Conclusion**

As the Landlord's agent was not able to prove service of the Notice of Hearing documents upon the Tenants, the Landlord's application is dismissed with leave to re-apply.

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.

January 21, 2010

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Date of Decision