

Decision

Dispute Codes:

OPC; MND; MNR, MNSD; FF

Introduction

This is the Landlords' application for an Order of Possession for Cause; a Monetary Order for unpaid rent and damage to the unit, site or property; to retain the security deposit in partial satisfaction of their monetary claim; and to recover the cost of the filing fee from the Tenants.

The parties gave affirmed testimony.

Preliminary Matter

Both parties were highly agitated at the beginning of the Hearing. There was confusion regarding a number of issues at the outset of this Hearing:

- The Landlord was not certain what day the Tenants were served with the Notice to End Tenancy for Cause issued February 25, 2010;
- The Landlord was not certain of the date she served the female Tenant with the Notice of Hearing documents;
- The female Tenant testified that the Landlord served her with a different Application for Dispute Resolution than the Application before me, in that there was no request for an Order of Possession on her copy. The Landlord testified that she had amended her Application for Dispute Resolution days after filing her initial application.

The Landlord has not provided sufficient evidence with respect to service of the Notice to End Tenancy for Cause, or service of the amended Application for Dispute Resolution. Therefore, the Landlord's application is dismissed.

Conclusion

The Landlord's application is dismissed.

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: April 29, 2010