

DECISION

Dispute Codes OPB, MND, MNSD, FF

Introduction

This is the Landlord's application for an Order of Possession; a Monetary Order for damage to the rental unit; to apply the security deposit towards partial satisfaction of its monetary claim; and to recover the cost of the filing fee from the Tenant.

Preliminary Issues

At the outset of the Reconvened Hearing, the Landlord testified that the Tenant had moved out of the rental unit at the end of June, 2010. When I asked the Landlord how he had provided the Tenants with the Notices of Reconvened Hearing, he replied that the documents "would have been mailed" by registered mail on June 15, 2010. The Landlord's agent stated that he had misplaced the registered mail receipt.

This matter was scheduled to be heard by teleconference on July 23, 2010, at 1:30 p.m. By 1:40 p.m. the Tenant had still not signed into the teleconference. The Landlord's agent was not able to prove service of the Notice of Hearing documents. Therefore, the Landlord's application is dismissed with leave to reapply.

Conclusion

The Landlord's 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: July 23, 2010.

Dispute Resolution Officer