



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a an Order of Possession for unpaid rent, A Monetary Order to recover unpaid rent and to recover the filing fee paid for this application.

The Landlord states he served the tenant by registered mail with a copy of the Application and Notice of Hearing. The tenant did not attend the conference call and the landlord was unable to provide any evidence to prove service of the hearing documents on the tenant. The landlord states the tenant has now moved from the rental unit.

To find in favour of an application, I must be satisfied that the rights of all parties have been upheld by ensuring the parties have been given proper notice to be able to defend their rights. In the absence of proof that the tenant was serviced with the hearing documents in accordance with the section 89 of the *Act*, I dismiss the landlord's application 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: August 27, 2010.

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Dispute Resolution Officer