



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

OPR, MNR

Introduction

This hearing was initiated by way of a Direct Request Proceeding but was reconvened as a participatory hearing, as the Dispute Resolution Officer at the Direct Request Proceeding had insufficient evidence regarding the terms of the tenancy agreement.

The reconvened hearing was scheduled to address the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession for Unpaid Rent and a monetary Order for unpaid rent.

The Landlord stated that the Tenant has vacated the rental unit and that he has been unable to serve the Tenant with copies of the Application for Dispute Resolution and Notice of Hearing.

Analysis

The purpose of serving the Application for Dispute Resolution and Notice of Hearing is to provide the Tenant with the opportunity to participate in the hearing.

Conclusion

As the Landlord has declared that he has been unable to serve the Tenant with the Notice of the Hearing, I find that I am unable to proceed with the hearing in the absence of the Tenant. The Landlord's Application for Dispute Resolution is hereby 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: September 13, 2010.

Dispute Resolution Officer