



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      CNC, OLC, RR, RP, RPP, MNDC

### Decision and reasons

No hearing was held, because the applicant did not serve the landlord with the notice of hearing and the hearing package, in a method that is recognized under the Residential Tenancy Act, and the landlord denies ever receiving a hearing package or notice of hearing from the applicant.

The request to cancel a Notice to End Tenancy is therefore dismissed without leave to reapply, because an Order of Possession has been issued against the tenant pursuant to an application filed by the landlord.

The monetary portion of the claim is dismissed with leave to reapply.

The filing fee for this application had been previously waived, however since the applicant did not properly serve the respondent the notice of hearing, I order that the applicant repay the \$100.00 filing fee to the Director of the Residential Tenancy Branch.

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 22, 2010.

---

Dispute Resolution Officer