

DECISION

Dispute Codes MNR, OPR

This is an application by the Landlord for a monetary order for unpaid rent and for an order of possession. The Landlord appeared by conference call. The Tenant did not appear. After waiting for a time for the Tenant to attend by conference call, it was determined by questioning the Landlord that she delivered the hearing package by sliding the package under the door of the tenancy residence on August 6, 2010. She states that she confirmed receipt of the hearing package with the Tenant the next day by telephone. The Landlord states that she faxed the confirmation of the hearing package to the Residential Tenancy Branch by facsimile, but has no confirmation of such and there is no evidence package in the file.

Conclusion

I find that the Landlord has not satisfied me that the hearing package was served properly to the Tenant. I dismiss this 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*.