



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNSD, OPR, FF

Introduction

This hearing dealt with an application by the landlord for unpaid rent, to keep all or part of the security deposit, an order of possession and recovery of the filing fee. The landlord participated in the conference call hearing but the tenant(s) did not. I found that the tenant had not been properly served with notice of the landlord's claim and the date and time of the hearing, the hearing did not proceed in their absence.

The purpose of serving documents under the *Act* is to notify the person being served of their breach and notification of their rights under the *Act* in response. In the absence of any evidence confirming how the tenant was served with notice of this application, I find that this application should be dismissed with leave to re-apply.

Conclusion

The landlord has not provided evidence to show that the tenant has been served with notice of this application and hearing as required. As a result I have dismissed this application with leave for the landlord to reapply.

Dated: October 26, 2010

Dispute Resolution Officer