



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF, O

### Introduction

This hearing was scheduled to hear the landlords' application for Dispute Resolution to obtain a Monetary Order for unpaid rent, for damage to the rental unit, site or property and for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, Regulations or tenancy agreement. The landlord also applied to keep the tenants security deposit and to recover the cost of the filing fee.

The landlords' agents state that the tenants were served with a copy of the Application and Notice of Hearing in person by a process server on July 06, 2010. The tenants did not attend the conference call and the landlord did not provide any evidence to prove service of the hearing documents on the tenants. In order for a hearing to commence I must be satisfied that the tenants were served correctly with the landlords' application and notice of hearing. As the person who served the hearing documents did not attend the hearing or provide a sworn affidavit that service took place as declared I am not satisfied that service was completed in accordance with section 89 of the *Act*.

Therefore no hearing took place today and the landlords' application is 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: November 19, 2010.

---

Dispute Resolution Officer