



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPC, MNR, MNDC, FF

Introduction

This matter dealt with an application by the Landlords for an Order of Possession and a Monetary Order for unpaid rent, for compensation for a loss of rental income and to recover the filing fee for this proceeding.

The Landlords said they served the Application and Notice of Hearing (the “hearing package”) on the Tenant on January 14, 2011 by sliding it under the rental unit door. Section 89(2) of the Act says that an application for an Order of Possession must be served on a tenant in person, by registered mail or by posting a copy to the rental unit door. Section 89(1) of the Act says that an application for a Monetary Order must be served on a tenant either in person or by registered mail. Consequently, I find that the Landlords did not serve the Tenant with their hearing package as required by s. 89 of the Act and as a result, their application is dismissed with leave to reapply.

Conclusion

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: January 31, 2011.

Residential Tenancy Branch