



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, MNDC, FF

Introduction

This hearing was set to deal with an Application for Dispute Resolution by the landlords for a Monetary Order to recover unpaid rent or utilities, a Monetary Order for damage to the rental unit, site or property, a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulations or tenancy agreement and to recover the filing fee paid for this application.

The landlord attending testifies she served the tenant by registered mail with a copy of the Application and Notice of Hearing. The tenant did not attend the conference call and the landlord was unable to provide any evidence to prove service of the hearing documents to the tenant.

To find in favour of an application, I must be satisfied that the rights of all parties have been upheld by ensuring the parties have been given proper notice to be able to defend their rights. In the absence of documentary evidence that the tenant was served with the hearing documents in accordance with section 89 of the *Act*, I dismiss the landlord's 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*.

Dated: January 14, 2011.

Residential Tenancy Branch