



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

Introduction

This was an application by the landlord for an order for possession, a monetary order and an order to retain the security deposit. The hearing of the application for dispute resolution was conducted by conference call. The landlord attended the hearing. The tenant did not call in and did not participate.

The landlord did not submit any documents in support of his application. I was not provided with a copy of a Notice to End Tenancy. The landlord did not provide a copy of the tenancy agreement, although he claimed that there was a written agreement. The Landlord did not provide any document to prove that the tenant was served with the application for dispute resolution and notice of hearing. The landlord said that he mailed it to the tenant, but he could not say when he mailed the documents and he was uncertain about how they had been sent. At one point he said they were sent by ordinary mail.

Because the landlord has failed to prove that the tenant has been served with the application and Notice of hearing and because he has not provided any documentary evidence with respect to his claims the application is dismissed with leave to reapply.

Dated: February 03, 2011.
