

DECISION

Dispute Codes OPC, MNDC

Introduction

This hearing was convened in response to an application made by the landlord seeking an Order of Possession based on a Notice to End Tenancy for Cause and an order seeking a monetary award.

Both parties appeared at the hearing. The landlord testified that he served the tenant with the Notice to End Tenancy by way of electronic mail. This is not an approved manner of service as set out in the Act. The landlord did not submit a copy of the Notice to End Tenancy.

Further, the landlord did not file in evidence a copy of the Notice to End Tenancy to inspect to ensure that a proper Notice to End tenancy had been supplied by the landlord to the tenant fully informing the tenant of the claim being made and the options available to him.

I therefore dismiss the landlord's application for an Order of Possession.

With respect to the landlords claim for a monetary award the landlord testified that the monies had now been paid and this claim was withdrawn.

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*.