



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlords to obtain a Monetary Order to recover unpaid rent, an Order for damage to the unit, site or property, an Order to keep the tenants security deposit, an Order for money owed or compensation for damage or loss under the *Act* and to recover the filing fee paid for this application.

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

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 tenants were 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: April 07, 2011.

Residential Tenancy Branch