



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNR, MND, MNDC, FF

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, seeking monetary orders for unpaid rent and damage to the rental unit, to keep all or part of the security deposit, for money owed for damage or loss and to recover the filing fee.

The Landlord's Agent appeared and was affirmed.

The Landlord did not submit a signed Proof of Service of the Notice of dispute resolution proceeding and the Landlord's Agent could not provide specific dates of the alleged service or the method of service of the Hearing Package.

The Rules of Procedure and principles of natural justice require that the Tenant/Respondent be informed of the nature of the claim and the monetary amount sought against him. This is one of the many purposes of the Application for Dispute Resolution and the Notice of Hearing. Without being served, the Tenant/Respondent would easily have any Decision or Order made against him overturned upon Review.

Therefore, I find the Tenant has not been served with the Notice of Hearing and Application for Dispute Resolution. 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: June 09, 2011.

Residential Tenancy Branch