



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

The matter was set for a hearing to hear the landlords' application for an Order of Possession, a Monetary Order for unpaid rent. The landlord also applied to keep the tenants security deposit and to recover the filing fee paid for this application. At the outset of the hearing the landlord stated that the tenants have moved from the rental unit and she no longer requires an Order of Possession.

The landlord appeared at the conference call and the line remained open for 10 minutes however the tenants did not appear during that time. I have reviewed the landlords file and found no evidence contained within the file to support any aspect of the landlords claim. The landlord states she did provide a copy of the 10 Day Notice, the proof of service of this Notice and a copy of the tenancy agreement when she filed her application for this hearing. However I have no evidence to show that any documentation was received by the Residential Tenancy Branch.

Due to a lack of evidence I am unable to proceed with the hearing today and the landlords' application is dismissed 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: July 14, 2011.

Residential Tenancy Branch