



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, OPB, MNR, FF, O

Introduction

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent ; and to recover the cost of the filing fee from the Tenants.

The Landlord gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord testified that he served both of the Tenants with the Notice of Hearing documents, by handing the documents to the Tenants at the rental unit. The Landlord was not certain of the date he provided the Tenants with the documents. He testified that he served the documents on September 21, 2011, and then stated that he served them on September 26, 2011.

This matter was scheduled to be heard at 11:00 a.m., October 25, 2011. By 11:15 a.m., neither of the Tenants signed into the Hearing. I find that the Landlord did not provide sufficient evidence of proof of service of the documents upon the Tenants. Therefore, I dismiss the Landlord's application with leave to reapply.

Conclusion

The Landlord's 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: October 25, 2011.

Residential Tenancy Branch