



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. An Order of Possession;
2. A monetary order pursuant to Section 67; and
3. An Order to recover the filing fee pursuant to Section 72.

The landlord gave evidence that he served a 10 day Notice to End Tenancy on October 1, 2011 seeking rent for September and October 2011. A copy of the Notice to End Tenancy was not supplied in evidence.

The landlord testified that he faxed 15 pages which included a copy of the Notice to End Tenancy and evidence with respect to service of documents and utility invoices however no such evidence was before me at the time of the hearing.

The landlord was given the opportunity to fax the evidence and a fax comprised of 15 pages was received, those pages included:

1. A copy of the Notice regarding this Dispute Resolution Hearing;
2. A copy of the front of two registered mail receipts addressed to the tenants;
3. A copy of the back of two registered mail receipts dated October 14, 2011;
4. A handwritten note re: water bills "estimated";
5. Copies of Fortis Gas invoices addressed to Stirling House Inc. for the months of March 2011 to September 2011 inclusive;
6. Copies of BC Hydro invoices addressed to Mani Management Corp. For the months of May, July and September 2011;
7. A fax transmission verification report.

Overall I am not satisfied that the tenants were duly served with a Notice to End Tenancy. I am also not satisfied that the landlord has supplied sufficient evidence of the monetary claims being made for rental arrears and/or utilities costs or shown sufficient

proof of the agreement between the parties respecting the amounts to be paid for rent or utilities. I therefore 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: November 07, 2011.

Residential Tenancy Branch