



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, MNSD, MNDC, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. A Monetary Order for compensation for loss – Section 67;
3. A Monetary Order for damage to the unit – Section 67; and
4. An Order to recover the filing fee for this application - Section 72.

The hearing was first scheduled for this date at 9:30 a.m. and I accept the Landlord’s evidence that the Tenants were served with the application for dispute resolution and notice of hearing by registered mail on November 6, 2011 in accordance with Section 89 of the Act. The hearing date was then rescheduled by the Residential Tenancy Branch to today’s date at 9:00 a.m. A Notice of Rescheduled Hearing, dated December 2, 2011 was sent to the Landlord and the Landlord states that no information was provided to the Landlord indicating that this new Notice of Rescheduled Hearing required service on the Tenants and the Landlord therefore did not serve the Tenants with the Notice of Rescheduled Hearing. It is also noted that the Notice of Rescheduled Hearing also placed the wrong address for one of the Tenants on the Notice.

Given these facts, I find that to proceed with the Hearing will prejudice the Respondents and that this matter may therefore be adjourned to allow proper service on the Respondents to be completed. The Residential Tenancy Branch will send the Parties another Notice with the adjourned hearing date. The Landlord must serve the Tenants with this Notice of Hearing letter and any evidence in accordance with the service provisions of the Act and **no later than 5 days before the rescheduled Hearing date.**

Failure to attend the Hearing at the scheduled time, with all relevant documents and/or witnesses, will result in a decision being made on the basis of any information before the Dispute Resolution Officer and the evidence of the Party in attendance at the Hearing.

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: January 23, 2012.

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Residential Tenancy Branch