

DECISION

Dispute Codes MNDC, MNSD, FF

This matter was set for a conference call hearing at 10:30a.m. on this date. The Tenant participated in the hearing, the Landlord did not. The Tenant states that the Landlord was served with the notice of hearing package in person, but was unable to provide a date when this was done. The Tenant also states that he has a witness to the service, but has not provided any documentary evidence of service or the attendance of the witness at the hearing. The Tenant was unable to satisfy me that the Landlord had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the Landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: March 20, 2012.

Residential Tenancy Branch