



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR, FF

### Introduction

This hearing was convened by way of conference call in repose to the landlord's application for an Order of Possession for unpaid rent; for a Monetary Order for unpaid rent; and to recover the filing fee from the tenant for the cost of this application.

The landlord states the tenant was served by registered mail with a copy of the Application and Notice of Hearing. The tenant did not attend the conference call and the landlord did not provide any evidence to prove service of the hearing documents on the tenant. In order for a hearing to commence I must be satisfied that the tenant was served correctly with the landlord's application and notice of hearing. As the landlord has been unable to provide me with proof of service of the hearing documents I am not satisfied that service was completed in accordance with section 89 of the *Act*. In addition to this the landlord has provided no other evidence to support this claim.

### Conclusion

The landlord's application is therefore 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: March 19, 2012.

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Residential Tenancy Branch