



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR; MNR; FF

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 Tenant.

The Landlord's agent gave affirmed testimony at the Hearing.

The Landlord's agent testified that the Notice of Hearing documents were mailed to the Tenant, via registered mail, to the rental unit on March 17, 2012. The Landlord provided the registered mail receipt and tracking numbers for the registered documents along with the Canada Post tracking system printout. The printout indicates that an attempted delivery was made on March 20, 2012, and a notice card was left indicating where the item can be picked up.

Service in this matter is deemed to be effected 5 days after mailing the documents, whether or not the recipient chooses to accept delivery of the documents.

Preliminary Matter

We left the teleconference line open for 10 minutes to allow the Tenant to sign into the conference, but he did not sign in.

The Landlord did not provide a copy of the Notice to End Tenancy in evidence. I explained to the Landlord's agent that I could not confirm that the Notice is a valid Notice without a copy. Therefore, I dismissed 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: April 03, 2012.

Residential Tenancy Branch