



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application for an Order of Possession for Unpaid Rent.

The agent for the landlord stated that on May 15, in the afternoon he was accompanied by an R.C.M.P. officer to the residential property. They served an adult male with Notice of the hearing. The agent stated he knows this person to be a frequent visitor to the rental unit. Since May 15, 2012, the landlord has not had any contact with the tenant in relation to the hearing; no discussions have occurred between the parties that would have confirmed the tenant was aware of the hearing.

As the adult male who was given copies of the Application for Dispute Resolution and Notice of Hearing is not an adult who apparently resides with the tenant, I determined that the tenant has not been served with notice of this hearing, as required by section 89(2) of the Act.

Therefore, the application was dismissed with leave to reapply.

Conclusion

The 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: May 31, 2012.

Residential Tenancy Branch