



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR, FF

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession based on a 10 day Notice to End Tenancy, a monetary order for unpaid rent and to recover the filing fee for the Application.

An Agent for the Landlord appeared, gave affirmed testimony and was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

The Agent for the Landlord testified that the Tenant was served with the Notice of Hearing and the Application by registered mail.

However, the Landlord did not provide a copy of the registered mail receipt and the Agent was unable to testify as to when the mail was sent.

Therefore, I find the Landlord is unable to prove when the Tenant was served with the Notice of Hearing and Application, and I dismiss the Application 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 08, 2012.

Residential Tenancy Branch