



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, MND, FF

Introduction / Background / Evidence

This hearing concerns the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / and recovery of the filing fee. The landlord participated in the hearing and gave affirmed testimony.

Further to the application for dispute resolution, evidentiary documents before me in this matter are limited to a copy of the landlord's Canada Post receipt for registered mail, and the accompanying receipt confirming payment to Canada Post. While I understand from the landlord that his registered mail included a copy of the "Notice of a Dispute Resolution Hearing" issued by the Branch, I was unable to conclude that the landlord also provided the tenant with a copy of the application for dispute resolution. In any event, the tenant did not attend the hearing.

I understand from the landlord that the tenancy began in January 2012, and that there is no written tenancy agreement. The landlord testified that monthly rent is \$1,250.00 and that a security deposit of \$625.00 was collected.

From the landlord's application it appears that rent has not been paid for either April or May 2012. The landlord referred to both, a 10 day notice and a 1 month notice to end tenancy, however, a copy of neither is in evidence before me. Further, I am unable to conclude from the landlord's testimony the date of issuance of either of these notices, or if, when or how either of them may have been served on the tenant.

In summary, there is insufficient evidence before me in support of the landlord's application.

Conclusion

Following from all of the above, the landlord's application is hereby 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 24, 2012.

Residential Tenancy Branch