



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR OPB MND MNR MNSD MNDC FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act"), in which he sought an order of possession for unpaid rent or utilities and a breach of an agreement with the landlord; a monetary order for unpaid rent or utilities; damage to the unit, site or property; money owed or compensation for damage or loss under the Act; regulation or tenancy agreement; to keep all or part of a pet damage deposit or security deposit; and to recover the filing fee.

Service Issues

The landlord applicant was present at the hearing, but the respondent tenant was not. The landlord did not provide any documentary evidence that the tenant was served with the Notice of a Dispute Resolution Hearing (the "Notice"). The landlord testified that according to the record before him, he served the Notice but confirmed that the name did not match the legal name of the tenant. When asked whether the application was also incorrect, the landlord confirmed that the surname was in fact, incorrect and that the legal name of the tenant was not reflected on the application.

Conclusion

Given the above service and application issues, I dismiss the landlord's application with leave to reapply. I make no other findings with respect to the merits of the application itself.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: June 04, 2012.

Residential Tenancy Branch