

DECISION

Dispute Codes O, FF

This is an application filed by the Landlord for an order of possession and recovery of the filing fee.

The Landlord attended the hearing with the assistance of a translator, T.N. and stated the notice of hearing and evidence package was served on the sub-tenant, H.V. who attended the hearing. The sub-tenant, H.V. has confirmed that she received the notice.

Based upon the Landlord's direct testimony, I find that the Tenant, O.C. was not served with the notice of hearing and evidence documents. As such, this application is dismissed with leave to reapply as the Landlord has failed to properly serve the Tenant.

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: July 30, 2012.

Residential Tenancy Branch