



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, to retain all or part of the security deposit, and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The landlord testified that the tenant vacated the unit on July 12, 2012.

The landlord served the tenant with Notice of this hearing via registered mail sent to the rental unit address. Evidence of registered mail was not submitted and the landlord could not locate his receipt or tracking number. The landlord believes the mail was sent on July 13, 2012.

The landlord stated that he combined costs for damages with the claim for unpaid rent. I explained that the details of a claim must be provided, that the application must reflect the actual claim and that evidence in support of a claim must be served to each party.

As the landlord could not provide evidence of service to the tenant and, based on his affirmed testimony that the tenant had vacated the unit prior to service of the Notice of hearing, I determined service to the tenant had not been completed and dismissed the application with leave to reapply.

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: July 31, 2012.

Residential Tenancy Branch