



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 has possession of the unit and does not require an order of possession. The tenant vacated the unit several weeks ago.

The agent for the landlord testified that the Notice of Hearing package was hand-delivered to a male, who was originally a tenant. The female respondent was not personally served with Notice of this hearing.

As the female respondent was not served with Notice of this hearing either via personal delivery or registered mail to the address where she resides, I determined that service had not been completed, in accordance with section 89 of the Act.

Therefore, in the absence of service to the respondent, for the purposes of a monetary claim, I find that the application is dismissed 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: October 10, 2012.

Residential Tenancy Branch