



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

The matter was set for a hearing to hear the landlord's application for an Order of Possession for unpaid rent; a Monetary Order for unpaid rent; an Order to keep the security deposit; and to recover the filing fee paid for this application.

At the outset of the hearing the parties advised that the tenant is no longer residing in the rental unit, and therefore, the landlord withdraws the application for an Order of Possession.

I have reviewed the landlords file and found no evidence contained within the file to support any aspect of the landlords claim. The landlord states the tenant was served with a 10 Day Notice to End Tenancy however the landlord has not provided copy of the 10 Day Notice in documentary evidence and has provided no other evidence to show that rent is outstanding. The tenant disputes that the landlord served the tenant with a 10 Day Notice.

Due to a lack of evidence I am unable to proceed with the hearing today and the landlords' application is dismissed with leave to reapply.

At the hearing the tenant provided an address the landlord can use for service of any documents to the tenant and to receive a copy of this decision. The landlord may consider this to be the tenants forwarding address.

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: January 02, 2013.

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Residential Tenancy Branch

