



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Ferguson Properties Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** MNR; MNDC; FF

### **Introduction**

This is the Landlord's application for a Monetary Order for unpaid rent; compensation for damage or loss under the Act, regulation or tenancy agreement and to recover the cost of the filing fee from the Tenants.

The Landlord's agent gave affirmed testimony at the Hearing.

### **Preliminary Matters**

The Landlord's agent testified that she served the Tenants with the Notice of Hearing documents by leaving the documents with a co-worker at the Tenants' place of work on February 22, 2013.

Section 89(1) of the Act provides the methods of service of an Application for Dispute Resolution when seeking a Monetary Order. I find that the Landlord did not serve the Tenants with the Notice of Hearing documents in accordance with the provisions of Section 89(1) of the Act. The telephone conference remained open for 10 minutes, but neither of the Tenants signed into the conference. Therefore, I dismiss the Landlord's application with leave to reapply.

### **Conclusion**

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: May 17, 2013

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Residential Tenancy Branch

