



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MNR, OPR, MNDC, FF*

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and for monetary order for unpaid rent and the filing fee. The tenant did not attend the hearing. The landlord's agent attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Was the tenant properly served with the notice of hearing, the landlord's evidence and the landlord's application for dispute resolution? If so, is the landlord entitled to an order of possession, and a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The landlord did not file any evidence regarding the service of the notice of hearing to the tenant. The landlord's agent did not have information regarding service. In addition there were no documents filed into evidence to support the landlord's application. In the absence of evidence, I am unable to determine whether the tenant was served with all the required documents including a valid notice to end tenancy. Therefore I am dismissing the landlord's application.

Conclusion

The landlord's application is dismissed. 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: June 11, 2013

Residential Tenancy Branch