



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Rockwell Management Inc
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to retain the security deposit - Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

The Landlord states that the application for dispute resolution and notice of hearing was served by another person, the building manager, and the Landlord states that the documents were served either by posting the materials on the door or by handing the materials to the Tenant in person on August 15, 2013. The Landlord states that he does not have an affidavit of service as the company records are not available due to the construction that is taking place at the building. Given the contradictory evidence of the Landlord, I am not satisfied that the Landlord has proven service of the documents to the Tenant. I therefore dismiss the application 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: September 24, 2013

Residential Tenancy Branch

