



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 523498 B.C. Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing was convened by way of conference call in repose to the landlord's application for an Order of Possession for unpaid rent; for a Monetary Order for unpaid rent; a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulations or tenancy agreement; and to recover the filing fee from the tenant for the cost of this application.

The landlord states the tenant was served with a copy of the Application and Notice of Hearing. The tenant did not attend the conference call and the landlord did not provide any evidence to prove service of the hearing documents on the tenant. In order for a hearing to commence I must be satisfied that the tenant was served correctly with the landlord's application and notice of hearing. As the landlord has been unable to provide me with proof of service of the hearing documents I am not satisfied that service was completed in accordance with section 89 of the *Act*. In addition to this I have no evidence to show that the landlord has provided any evidence for this hearing such as the 10 Day Notice and proof of service of the 10 Day Notice which the landlord's agent states was sent to this office.

Conclusion

The landlord's application is therefore 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: September 09, 2013

Residential Tenancy Branch

