



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Colliers International
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

This is an application filed by the Landlord for an order of possession and a monetary order for unpaid rent, for money owed or compensation for damage or loss and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenant was served on July 26, 2013 by Canada Post Priority Post and has provided a Customer Receipt Tracking number in his direct testimony. At this time the Landlord clarified that an order of possession was no longer required as the Tenant had vacated sometime around July 7, 2013 after being served with a 10 day notice to end tenancy for unpaid rent. The Landlord confirmed that the Tenants vacated the rental unit at that time without providing a forwarding address in writing and that the notice of hearing package was sent to the rental unit on July 26, 2013.

This matter was set for a conference call hearing at 2:30 p.m. on this date. The Landlord participated in the hearing, the Tenant did not. The Landlord was unable to satisfy me that the Tenant had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the Landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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 04, 2013

Residential Tenancy Branch

