



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

**OPR, MNR, FF**

### Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord requested an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The landlord provided affirmed testimony that the tenant vacated the unit on October 20, 2013 and that he was unable to serve her with notice of the hearing. When informed that the hearing could not proceed, as the tenant had not been given notice of the hearing, the landlord said that the hearing process was a "joke."

I explained that it was a matter of fairness and natural justice that the other party is served with notice of a hearing and that the landlord had 2 years from the end of the tenancy to proceed with an application.

Therefore, in the absence of service to the respondent I find that the application is dismissed with leave to reapply within the legislated time-frame.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: December 02, 2013

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Residential Tenancy Branch

