



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, 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. A Monetary Order for compensation – Section 67; and
4. An Order to recover the filing fee for this application - Section 72.

The Landlord states that the Tenants moved out of the unit on December 13 or 14, 2013 and that the keys were left in the unit. The Landlord lives above the Tenant and saw the Tenant’s move. The Landlord states that the application for dispute resolution and notice of hearing was sent to the Tenants by registered mail on December 11, 2013.

The Landlord did not provide a copy of the receipt or the tracking number for the registered mail. The Tenant did not participate in the conference call hearing. As the Landlord has possession of the unit, I dismiss the Landlord’s claim for an order of possession. Given the lack of supporting evidence of service of the application and notice of hearing, I dismiss the Landlord’s 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: January 07, 2014

Residential Tenancy Branch

