



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, OPL, MNSD, MNR, MND, FF

Introduction

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent and damages; to apply the security deposit towards its monetary award.; and to recover the cost of the filing fee from the Tenant.

The Landlord gave affirmed testimony at the Hearing. The Tenant did not sign into the Hearing, which remained open for 15 minutes.

Preliminary Matters

At the outset of the Hearing, the Landlord provided the correct spelling of his last name. I amended the Landlord's Application to reflect the correct spelling.

The Landlord testified that he personally served the Tenant with the Notice of Hearing documents, in the company of a police officer. The Landlord could not recall the date that he served the Tenant. The Landlord did not provide any documentary evidence in support of his application (for example a copy of the Notice to End Tenancy for Unpaid Rent or a copy of the Notice to End Tenancy for Landlord's Use), or a witness statement with respect to service of the Notice of Hearing documents.

Therefore I find that the Landlord has not provided sufficient proof that the Tenant was served with the Notice of Hearing documents or a valid notice to end the tenancy and I dismiss the Landlord's application with leave to reapply.

Conclusion

The Landlord's application is 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: June 24, 2014

Residential Tenancy Branch

