



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPC MND MNR MNSD MNDC FF

Introduction:

This hearing dealt with an application by the landlord pursuant to the Residential Tenancy Act for orders as follows:

- a) An Order of Possession pursuant to Sections 47, and 55 for cause;
- b) A Monetary Order for unpaid rent and damages;
- c) To retain the security deposit to offset the amount owing; and
- d) An order to recover the filing fee pursuant to Section 72.

SERVICE:

The tenant did not attend. The landlord gave sworn testimony that the Notice to end Tenancy dated May 27, 2014 was served by xpresspost; it was verified as successfully delivered. She said the Application for Dispute Resolution was also served by xpresspost but she was unable to provide a verification number, although given at least 10 minutes to find it in her files. After 20 minutes, she said she just could not find it. I find that the landlord was unable to provide proof of service of the Application/Notice of Hearing as required by sections 88 and 89 of the Act.

Conclusion:

The landlord's application is dismissed with leave to reapply as she was unable to provide proof of service of the Application/Notice of Hearing

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: August 06, 2014

Residential Tenancy Branch

