



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR OPR FF

Introduction:

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

- a) A monetary order pursuant to Section 67;
- b) An Order of Possession pursuant to Sections 46, and 55; 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 June 2, 2014 was served by registered mail and provided the registration number. She said the Application for Dispute Resolution was served by registered mail but was unable to provide the registration number for verification, although I allowed 5 minutes for her to try to get it.

Analysis

One of the principles of Natural Justice is that a person must be informed of the case against them and have the opportunity to attend or otherwise respond. I find there is insufficient proof that the tenant was informed of this hearing against him.

Conclusion:

I dismiss the Application of the landlord because of lack of proof of service of the Application. I give the landlord 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: August 07, 2014

Residential Tenancy Branch

