



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding REP Holdings c/o Coldwell Banker Tri Tel Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, OPB, MND, MNR, MNSD, MNDC, OPR, AAT, LAT, RR, FF

This hearing dealt with an application by the landlord for an order of possession and a monetary order and a cross-application by the tenant for an order setting aside a notice to end this tenancy, a monetary order and orders authorizing her to access the unit, change the locks and reduce the rent. The landlord appeared at the conference call hearing and the tenant did not

The landlord testified that he served his application for dispute resolution and notice of hearing by posting those documents on the door of the rental unit. He withdrew his claim for an order of possession as the tenant had already vacated the rental unit.

Section 89(1) of the Act requires that a claim for a monetary order be served personally on the tenant or via registered mail. As the landlord posted the documents to the door of the rental unit, I find that they have not been served in accordance with the requirements of the Act and I dismiss the landlord's monetary claim with leave to reapply.

As the tenant did not appear at the hearing to advance her claim and as the landlord was prepared to defend the claim, the claim is dismissed without 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: September 24, 2014

Residential Tenancy Branch

