



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR MNR MNSD FF

### Introduction

This hearing was convened pursuant to the landlord's application for an order of possession and a monetary order for unpaid rent. The landlord and the tenant participated in the teleconference hearing.

### Preliminary Issue – Service of Documents

In the hearing the tenant stated that she did not receive the notice to end tenancy for unpaid rent or the landlord's application and notice of hearing until October 21, 2014, the day before the hearing.

The landlord acknowledged that she personally served the tenant's underage children with both the notice to end tenancy and the application and notice of hearing.

Under sections 88 and 89 of the Act, a party may personally serve documents by leaving a copy at the person's residence with an adult who apparently resides with the person. The Act does not permit service to a person who is not an adult.

I found that the landlord did not properly serve the tenant with any of the documents. I dismissed the landlord's application for an order of possession.

The tenant acknowledged owing some unpaid rent, but the landlord failed to provide any evidence to support her monetary claim. I therefore dismissed the landlord's monetary claim with leave to reapply.

Conclusion

The application for an order of possession is dismissed. The landlord may serve the tenant with a new notice to end tenancy.

The landlord's monetary 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: October 22, 2014

---

Residential Tenancy Branch

