



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MND, MNR, FF

Introduction

The landlord applies for an order of possession and a monetary award for unpaid rent and damages for repair to the rental unit. The tenant vacated the unit at the end of September, without any notice according to the landlord. By evidence filed October 30, 2014, the landlord attempts to amend the claim to seek further damages for cleaning and repair.

The tenant did not attend this hearing. The landlord testified that she served the tenant with the application and notice of hearing by leaving a copy of it in a plastic wrap or bag against the front door of the premises on September 24 or 25, 2014. Since then she has had no communication with the tenant, confirming receipt.

Service of a monetary claim is governed by s. 89 of the *Residential Tenancy Act* and that section does not provide for service by leaving a copy of the documentation in front of a door. The landlord's application has not been lawfully served on the tenant and her application must be dismissed with leave to re-apply.

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: November 10, 2014

Residential Tenancy Branch

