



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes            OPR, MNR

### Introduction and Preliminary Matter

This hearing convened as a result of a Landlords application for dispute resolution wherein they sought an Order of Possession and a Monetary Order for unpaid rent.

Only the Landlord appeared at the hearing. He gave affirmed testimony and was provided the opportunity to present his evidence orally and in written and documentary form, and to make submissions to me.

The Landlord testified that the Tenant abandoned the rental unit and as such he no longer required an Order of Possession. He testified that the tenant sub-letted to others without his knowledge and consent, and those individuals had been removed from the property. He further testified that although he posted various notices on the rental unit door, and those notices appear to have been removed, he believes they were removed by these third parties.

The Landlord stated that he did not serve the Tenant with his application materials as he did not have a forwarding address for the Tenant nor did he have any way of communicating with the Tenant. He stated he intended to apply for an order for substitutional service.

As the Tenant had not been served, the Application could not proceed and was dismissed with leave to reapply after the Landlord effects service.

### Conclusion

The Landlord failed to serve the Tenant and the 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: March 04, 2015

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Residential Tenancy Branch

