



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, OPM, MNR, MNSD

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an Order of Possession pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67; and
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38.

The landlord, G.S. attended the hearing by conference call and gave undisputed affirmed testimony. The tenant, C.C. did not attend. Neither party submitted any documentary evidence.

### Preliminary Issue

At the outset of the hearing, the landlord, G.S. stated that he did not receive a dispute resolution package from the Residential Tenancy Branch (RTB) nor did he serve a copy of it upon the tenant. The landlord stated that he obtained the telephone conference call details by calling the RTB. On the basis of the landlord's direct testimony, I am satisfied that the landlord failed to properly serve the tenant with the notice of hearing package pursuant to section 89 of the *Act*.

### Issue(s) to be Decided

Is the landlord entitled to an Order of Possession for unpaid rent?

Is the landlord entitled to a monetary award for unpaid rent?

Is the tenant entitled to a monetary award for the return of a portion of his pet damage and security deposits?

Conclusion

The landlord's 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: August 06, 2015

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Residential Tenancy Branch

