



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Prideaux Holdings Inc.  
and [tenant name suppressed to protect privacy]

## DECISION

Codes: MNR, OPR, FF

### Introduction:

This was an application by the landlord for an Order for Possession, a Monetary Order and an Order for unpaid rent. Only the landlord attended the application.

### Preliminary Issue:

The landlord advised that the tenants had moved out and therefore the landlord was not seeking an Order for Possession.

### Issues:

Is the landlord entitled to a Monetary Order?

### Background and Evidence:

The landlord's agent CT testified that the tenancy began on June 20, 2015 with rent in the amount of \$ 875.00 due in advance on the first day of each month. The tenants did not pay a security or pet deposit. CT testified that she posted the dispute resolution package by registered mail on April 26, 2015, but discovered the same day that the tenants had moved out and had not provided any forwarding address.

The landlord's agent testified that the arrears to the end of August, 2015 were \$ 929.20 and that there was a loss of revenue and damage to the unit.

### Analysis:

Based on the evidence of the landlord I find that the tenants were not served with the application as required by section 88 and 89 of the Act as the landlord discovered that the tenants were no longer residing in the unit the same day as the application was posted in the mail. Accordingly I have dismissed the landlord's application for a monetary Order with leave to reapply. .

Conclusion:

I have dismissed the landlord's application for a monetary Order with leave to reapply. I have dismissed the application for an order for possession. There will not be any recovery of the filing fee.

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 05, 2015

---

Residential Tenancy Branch

