



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR

Introduction

This was a hearing with respect to the landlord's application for a monetary order for unpaid rent and an order for possession. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend the hearing.

Issue(s) to be Decided

Is the landlord entitled to a monetary award for unpaid rent and if so, in what amount?
Is the landlord entitled to an order for possession?

Background and Evidence

The landlord's representative testified that the tenant failed to pay rent for October, 2015 and he was served with a 10 day Notice to End Tenancy by placing a copy of the Notice in his mailbox on October 26, 2015.

According to the landlord's representative the tenant has not been seen at the rental property since October, 2015. The landlord's representative testified that the application for dispute resolution and Notice of Hearing were sent to the tenant by registered mail on November 9, 2015. The landlord received some information that the tenant may be in a rehab facility. The landlord did not submit any documentary evidence in support of his application.

Analysis

The testimony of the landlord's representative that the tenant has not been seen at the rental property for several months suggests that the tenant may have abandoned the rental unit. The registered mail was not delivered and the tenant has not been seen

since it was mailed. Because I do not have documents to support the landlord's claim and because it appears that the tenant may no longer reside at the rental unit and has not been served with the application and Notice of Hearing, I dismiss the landlord's application with leave to reapply.

Conclusion

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: January 20, 2016

Residential Tenancy Branch

