



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

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

- an order of possession for unpaid rent pursuant to section 55; and
- a monetary order for unpaid rent pursuant to section 67.

The landlord and agent appeared. The tenant did not attend.

Preliminary Issue - Service

This application was made by way of direct request. As a result of deficiencies in the direct request application, the adjudicator ordered that this hearing be reconvened as a participatory hearing. The adjudicator ordered the landlord to serve the tenant with notice of the reconvened hearing pursuant to section 89 of the Act.

At the hearing the agent informed me that the landlord did not serve the tenant with the notice of reconvened hearing. As the tenant was not provided notice of this hearing, I dismiss the landlord's application with leave to reapply.

The agent informed me that the tenant did not provide the landlord with a forwarding address when he vacated the rental unit. The landlord may find sections 38 and 60 assist her in deciding when (if at all) to refile her application.

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 subsection 9.1(1) of the Act.

Dated: April 21, 2016

Residential Tenancy Branch