



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding L-4 VENTURES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MND MNR FF

Introduction and Analysis

This hearing dealt with the landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for an order of possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, for damage to the unit, site or property, and to recover the cost of the filing fee.

An agent for the landlord (the "agent") attended the teleconference hearing. The tenants did not attend the hearing. As the tenants did not attend the hearing, service of the Notice of a Dispute Resolution Hearing (the "Notice of Hearing"), Application for Dispute Resolution (the "Application") and documentary evidence were considered. The agent testified that he was unsure of the date, time or location that the tenants were served with the Notice of Hearing, Application and documentary evidence package. The agent stated that he hired a bailiff to serve the documents on the tenants but did not have the date, time or location available as evidence during the hearing.

Both parties have the right to a fair hearing. The tenants would not be aware of the hearing without having received the Notice of a Dispute Resolution Hearing and Application. Therefore, **I dismiss** the landlord's application **with leave to reapply** as I am not satisfied that the tenants have been sufficiently served with the Notice of Hearing and Application in a manner provided for under the *Act*. I note this decision does not extend any applicable time limits under the *Act*.

Conclusion

The landlord's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the *Act*.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 15, 2016

Residential Tenancy Branch