



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STERLING MANAGEMENT SERVICES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

This hearing was scheduled to deal with a landlord's application for an Order of Possession and Monetary Order for unpaid rent. The tenants did not appear for the hearing. The landlord's agents testified that they attended the property in an effort to serve the tenants with the hearing documents and they found the tenants had already vacated the rental unit. As such, the landlord was unable to serve the tenants with notification of this proceeding.

The landlord's agents confirmed that they no longer require an Order of Possession but requested that I consider their request for a Monetary Order.

In keeping with the principles of natural justice, section 59 of the Act requires that an applicant serve each respondent with their Application for Dispute Resolution and other required documents. Since the hearing documents were not served upon the tenants, I declined to hear the landlord's monetary claims. The landlord's claims against the tenants are 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: October 11, 2016

Residential Tenancy Branch

