Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR, MNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession, and for a monetary order for unpaid rent.

On October 17, 2016, the landlord filed their Application for Dispute Resolution by Direct Request, which is an exparte proceeding. On October 25, 2016, the landlord's application was before the Adjudicator. The Adjudicator determined that a participatory hearing was to be conducted by an Arbitrator in order to determine the details of the landlord's application. The Adjudicator issued an interim decision and directed the landlord to serve a copy of the interim decision and a copy of the notice of reconvene hearing notice on the tenant.

The landlord stated that they did not read the decision and did not serve the tenant with a copy of the interim decision or notice of reconvene hearing.

Since the landlord did not comply with the service provisions in the interim decision. I decline to hear the landlord's application due to lack of service. Therefore, I dismiss the landlord's application 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: December 14, 2016

Residential Tenancy Branch