

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

Introduction

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

- an Order of Possession for unpaid rent pursuant to section 55 of the *Act*.

The tenants did not attend this hearing, which lasted approximately 15 minutes. Landlord, TJ attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The landlord could not recall when the Application for Dispute Resolution was served on the tenants. His only recollection was that it was placed on the door. The landlord contended that he was not required to serve the Application for Dispute Resolution on the tenants because he received a Notice of Hearing in the mail and did not himself request a hearing.

In the interim decision issued on January 31, 2017 by an adjudicator with the Residential Tenancy Branch, it is noted in the conclusion;

*Notices of Reconvened Hearing are enclosed with this interim decision **for the applicant to serve**, with all other required documents, upon the tenants within three (3) days of receiving this decision in accordance with section 89 of the Act.*

I am not satisfied that the landlords have served notice of this hearing and the dispute resolution hearing documents to the tenant as required by section 89 of the *Act* and in accordance with the above-noted directions provided in the adjudicator's January 31, 2017 interim decision. For this reason, the landlords' application is dismissed with leave to reapply.

Conclusion

I dismiss the landlords' 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: March 2, 2017

Residential Tenancy Branch