



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPRM – DR, FFL

Introduction

This hearing was convened by way of conference call concerning an application made by the landlord via the Direct Request Process which was referred to a participatory hearing. The landlord has applied for an Order of Possession and a monetary order for unpaid rent or utilities and to recover the filing fee from the tenants for the cost of the application.

An agent for the landlord attended the hearing however no one for the tenants appeared. The landlord has provided evidence of having served the hearing packages upon the tenants by registered mail on October 20, 2017, addressed to both tenants in one envelope. The landlord's agent advised that 4 envelopes were sent to the tenants and each was addressed to both tenants. The *Residential Tenancy Act* requires that each tenant be individually served, which is not the case in this matter. Therefore, I dismiss the landlord's application. The landlord is at liberty to serve another notice to end the tenancy if rent remains unpaid.

Conclusion

For the reasons set out above, the landlord's application is hereby dismissed.

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: November 30, 2017

Residential Tenancy Branch