



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, MNR, OLC, O, OPR, MNR

Introduction

In the first application the tenant seeks to cancel a Notice to End the Tenancy given for non-payment of rent and for the cost of a key fob and the repair of a tap.

In the second application the landlord seeks an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent and for a monetary award for unpaid rent.

Since the applications were made the tenant vacated the rental unit and the landlord has regained possession.

The tenant did not attend the hearing within 15 minutes after its scheduled start time. As a result, her application is dismissed. The landlord attended and was ready to proceed. As a result the tenant's application is dismissed without leave to re-apply.

The landlord testifies that he served the tenant with his application and notice of hearing by registered mail to an address shown on the tenant's driver's licence, copied by him at the start of the tenancy in October 2016. He was not able to provide a Canada Post tracking number for the mail but considers it most likely that the mail has been returned to him just recently.

The landlord has not established service of his application in accordance with sections 88 and 89 of the *Residential Tenancy Act*. His application is dismissed with leave to re-apply.

This decision was rendered orally at hearing 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: December 05, 2017

Residential Tenancy Branch