



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR-DR, FFL

Introduction

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

- an Order of Possession for unpaid rent pursuant to section 55 of the *Act*; and
- recovery of the filing fee from the tenant pursuant to section 72 of the *Act*.

The tenant did not attend the hearing. The landlord attended the hearing to advise that she would like to withdraw her application as she had not served the tenant with the Notice of Dispute Resolution Proceeding package for this hearing.

As the landlord failed to serve the tenant with notification of this proceeding as required pursuant to section 89 of the *Act*, I order the landlord's application for an Order of Possession dismissed, and grant the landlord liberty to reapply. I order the landlord's request to recover the cost of the filing fee for this application dismissed without leave to reapply. I make no findings on the merits of the matter. The issuance of this decision with leave to reapply does not extend any applicable time limits under the *Act*.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession for unpaid rent? Is the landlord entitled to recover the filing fee for this application from the tenant?

Conclusion

The landlord's application for an Order of Possession is dismissed with leave to reapply due to a service issue. I order the landlord's request to recover the cost of the filing fee for this application dismissed without leave to reapply. This decision does not extend any applicable time limits under the *Act*.

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: July 6, 2018

Residential Tenancy Branch