



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR OPR FF

This hearing dealt with the Landlord's Application for Dispute Resolution, made on July 12, 2018 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for unpaid rent or utilities;
- an order of possession for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by A.S., an agent, who provided affirmed testimony. The Tenant did not attend the hearing.

On behalf of the Landlord, A.S. testified the Application package was served on the Tenant by posting a copy to the door of the rental property. However, section 89 of the *Act* confirms this is not an authorized method of service of an application for dispute resolution. Principles of administrative justice and procedural fairness require that a party to a dispute be made aware of a proceeding against them and be given an opportunity to participate. In this case, I am not satisfied the Tenant was provided with this opportunity. Accordingly, I find the Application is dismissed, 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: September 13, 2018

Residential Tenancy Branch