



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

On August 30, 2018 a hearing was conducted via the conference call between these two parties. The landlord attended, but the tenant did not. The landlord applied for an order of possession and a monetary order for unpaid rent and recovery of the filing fee. The landlord was granted an order of possession and a monetary order for unpaid rent and recovery of the filing fee. The tenants applied for a review of this decision. The arbitrator ordered the decision and accompanying order suspended pending a review hearing for the landlord's application regarding the monetary order only as the tenants have vacated the rental unit.

This is a review hearing granted for the landlords' application pursuant to the *Residential Tenancy Act* (the Act) for:

- a monetary order for unpaid rent pursuant to section 67;
- authorization to recover the filing fee for this application from the tenants pursuant to section 72.

The landlord attended the hearing via conference call and provided affirmed testimony. The tenant, T.L.T. attended the hearing with the assistance of a translator (mandarin), P.J. The other two named tenants did not attend. At the outset, both parties confirmed that the tenants did not serve the landlord with a copy of the Review Decision or the Notice of a Review Hearing to the landlord. The landlord stated that she was made aware of a hearing scheduled, but not the details or issues. I note that through extensive discussions with the parties, the tenant, T.L.T. is not disputing the unpaid rent, but her naming as a tenant.

During the hearing the named tenant, T.L.T. provided a mailing address for service for all tenants which was confirmed on the Residential Tenancy Branch File.

On this basis, I find the tenants have not served the landlord as per section 90 of the Act for lack of service. The original monetary order granted August 30, 2018 is confirmed.

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 09, 2018

Residential Tenancy Branch