



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPRM-DR, FF

Introduction

On March 23, 2020 a hearing was conducted via the conference call between these two parties. Neither party attended the hearing. The landlord's application was dismissed with leave to reapply. The landlord applied for review for review of this decision. The arbitrator ordered the decision and accompanying order suspended pending a review hearing for the landlords' application.

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

- an order of possession for unpaid rent pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67;
- authorization to recover his filing fee for this application from the tenant pursuant to section 72.

The landlord's agent (the landlord) attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence. The landlord stated that the tenant was not served with the notice of hearing package as the tenant had refused to open the door. The landlord stated that he instead gave the tenant verbal notification of the hearing.

On the basis of this evidence, I am not satisfied that the tenant was properly served with the dispute resolution package pursuant to section 89 of the Act. The landlord's application is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: June 08, 2020

Residential Tenancy Branch