



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, MNRL-S, FFL

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to retain the security deposit - Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

The Tenants did not attend the hearing. The Tenants moved out of the unit before the Landlord was able to serve the Tenants with its application and notice of hearing.

Section 59(3) of the Act provides that a person who makes an application for dispute resolution must give a copy of the application to the other party within 3 days of making it, or within a different period specified by the director. As the Tenants are no longer in the unit and as the Landlord did not serve the Tenants with its application for dispute resolution, I dismiss the claim for an order of possession and the filing fee without leave to reapply. As the Landlord did not serve the Tenants with the application for dispute resolution, the claims for a monetary order for unpaid rent and to retain the security deposit are dismissed with leave to reapply. Leave to reapply is not an extension of any 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 Act.

Dated: August 14, 2020

Residential Tenancy Branch