Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPR, MNR, FF*

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and a monetary order for unpaid rent and the filing fee.

The landlord stated that the tenant was arrested and incarcerated on September 28, 2011. The landlord served the tenant with the notice of hearing by registered mail to the address of the dispute rental unit on October 16, 2011. The tenant did not attend the hearing.

Based on the testimony of the landlord, I find that the tenant was not properly served pursuant to section 88 of the *Residential Tenancy Act.* I therefore dismiss this application with leave to reapply.

Conclusion

The landlord's 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: November 08, 2011.

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Residential Tenancy Branch