



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR MNR

Introduction

This hearing was convened in response to an amended application by the landlord pursuant to the *Residential Tenancy Act* for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. An Order of Possession – Section 55

The landlord attended the conference call hearing, the tenant did not. The landlord could not support testimony the tenant was served with notice of today's hearing by registered mail. The landlord could not provide a registered mail tracking number for this matter. In addition, for this type of application the landlord is required to serve the tenant only by the methods prescribed by Section 89(2) of the Act, and the landlord confirmed that no other method of service according to Section 89(2) was utilized to serve the tenant. As a result, I am not confident the tenant was served with notice of this hearing pursuant to Section 89(2) of the Residential Tenancy Act. As a result, I **dismiss** the landlord's 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: January 13, 2014

Residential Tenancy Branch