



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pak Punjab Trading Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, OPR, FF

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. A Monetary Order for unpaid rent - Section 67;
2. An Order of Possession - Section 55; and
3. An Order to recover the filing fee for this application - Section 72.

The Tenants did not attend the hearing. The Landlord states that the Tenants moved out of the unit on September 29, 2018 and that the Landlord no longer requires an order of possession. Given this submission I dismiss the claim for an order of possession. The only remaining matters under dispute are the monetary claims for unpaid rent and recovery of the filing fee.

The Landlord states that the application and notice of hearing was left at the Tenants’ door on September 27, 2018.

Section 89(1) of the Act provides that an application for dispute resolution must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;

- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;
- (e) as ordered by the director under section 71 (1) *[director's orders: delivery and service of documents]*.

As the Landlord's application contained a monetary claim and as the application was served by placing it on or at the door, I find that the Landlord did not serve the application for dispute resolution as required under the Act. I therefore dismiss the claim for unpaid rent with leave to reapply. As the application was unsuccessful I dismiss the claim for recovery of the filing fee claim.

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: November 05, 2018

Residential Tenancy Branch