



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

This hearing was in response to an Application for Dispute Resolution, in which the Tenant applied for the return of double her security deposit and for an Order of Possession for the rental unit.

The Tenant stated that copies of the Application for Dispute Resolution and Notice of Hearing were sent to the Respondent via registered mail at his home address, on March 06, 2009. A copy of a Canada Post receipt with tracking number was submitted in evidence. The Canada Post website shows the mail was not delivered and that it was returned to the sender on March 24, 2008.

The Tenant stated that the Respondent was acting as the building manager on February 18, 2009, at which time she completed Intent to Rent Form. She stated that on, or about, February 22, 2009 she gave the Respondent a cheque for \$230.00 for a security deposit and a cheque for \$460.00 for rent for March, both of which were made payable to the Landlord.

The Tenant stated that she returned to the rental unit on several occasions after she paid her rent and security deposit, although she was unable to locate a building manager. She stated that she was finally able to locate a building manager on, or about, February 26, 2009, at which time she was advised that the residential complex had been sold and that the Respondent was no longer acting as the building manager.

As the Tenant sent the Application for Dispute Resolution and Notice of Hearing to the Respondent's personal residence on March 06, 2009, which is after she had been advised that he was no longer acting as the building manager, I find that neither the new landlord nor the old landlord was served notice of this hearing in accordance with section. On this basis, I dismiss the Tenant's Application for Dispute Resolution, with leave to reapply.

The Tenant retains the right to file another Application for Dispute Resolution.

Dated: April 30, 2009.

Dispute Resolution Officer