



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has made application for a monetary Order for loss or damage, return of the deposit paid and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

The tenant stated that a copy of the Notice of Hearing was served personally to each respondent on May 25, 2009 at the address noted on the Application. The tenant testified that the evidence package was sent to the landlord by registered mail.

The tenant testified that he did not include a copy of the Application for Dispute Resolution in either package served to the landlord. Residential Tenancy Branch Rules of Procedure, section 3.1 requires the applicant to serve the respondent with a copy of the Application for Dispute Resolution.

In the absence of service of the Application for Dispute Resolution to the respondents I dismiss the tenant's applicant, with leave to reapply.

A copy of section 3.1 of the Rules of Procedure is appended to this decision.

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: August 27, 2009.

Dispute Resolution Officer

3.1 Documents that must be served

Together with a copy of the Application for Dispute Resolution, the applicant must serve each respondent with copies of all of the following:

- a) the notice of dispute resolution proceeding letter provided to the applicant by the Residential Tenancy Branch;



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- b) the dispute resolution proceeding information package provided by the Residential Tenancy Branch;
- c) the details of any monetary claim being made, and
- d) any other evidence accepted by the Residential Tenancy Branch with the application or that is available to be served.