



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to obtain a Monetary Order to recover double the security deposit and to recover the cost of the filing fee.

The tenants agent states he is acting on behalf of the tenant as the tenant has gone back to live overseas. The tenants' agent claims the landlord was served in person with Notice of this hearing; however, he has provided no evidence to support that service took place as stated or that he is acting on behalf of the tenant.

In the circumstances, I find that the tenant has failed to provide evidence that service of the hearing documents occurred within three days after filing his application pursuant to section 59(3) of the Residential Tenancy Act or any evidence to support the tenants agents claim that he is acting on behalf of the tenant. As a result, the tenants' 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: August 13, 2010.

Dispute Resolution Officer