



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD, MNSD, OLC

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking return of double her security deposit, under section 38 of the Act.

At the outset of the hearing the Tenant was affirmed. The Tenant testified she served the Landlords with the Application for Dispute Resolution and Notice of Hearing by leaving them in the Landlords' mailbox.

Section 89 of the Act deals with the service of certain documents, including the Application for Dispute Resolution. It states:

- (1) An application for dispute resolution ... when required to be given to one party by another, 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].

Based on the above, I find the Tenant has failed to serve the Landlords in accordance with the Act. Therefore, the Tenant'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: November 16, 2010.

Dispute Resolution Officer