



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      FF, MND, MNR, MNSD, MNDC

### Decision and Reasons

This file was originally dealt with in a hearing held September 7, 2010, and at that time \$3092.07 was awarded in favour of the landlords, and therefore it was ordered that the landlords may retain the full security deposit of \$440.04, and the respondents were ordered to pay \$2652.03 to the applicant.

The respondents subsequently filed an application for review of that decision, and on September 20, 2010, that review application was dismissed, and the original decision of September 7, 2010 was confirmed.

The respondents then filed an application for review of the review decision, and on November 18, 2010, the Dispute Resolution Officer allowed the review of the review, ordered that a new hearing be held, and suspended the September 7, 2010 decision until that new hearing was conducted. However in the Dispute Resolution Officer's decision, he also ordered that the tenants must serve upon the landlord, a copy of his review decision and the notice of hearing, within three days of receiving the review decision.

It is my finding that the tenants have failed to comply with the Dispute Resolution's Officer's order, as they have not served the landlords with a copy of the review decision or the notice of hearing, as of today's date.

The tenant's sister, who is acting on his behalf today, stated that she does not know why the documents were not served on the landlords.



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## Conclusion

Since the tenants have failed to serve the landlords with a copy of the Dispute Resolution Officer's decision, or the notice of hearing, as ordered, I am not willing to proceed with a new hearing.

Therefore the original decision and order, dated September 7, 2010, are hereby reconfirmed and the applicants are at liberty to proceed with enforcement of the September 7, 2010 order.

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: December 10, 2010.

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Dispute Resolution Officer