



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD

Introduction

This hearing was scheduled for 9:00 a.m. on this date to hear the tenants' application for return of double the security deposit. The landlords did not appear at the hearing. I heard from the tenants that the tenants placed two hearing packages in one registered letter envelope and mailed the one envelope to the landlords. The tenants quoted a registered mail tracking number as evidence. A search of the registered mail number showed that the item was successfully delivered but does not provide a signature of the recipient.

Where a respondent does not appear at a hearing it is upon the applicant to provide proof of service upon the respondent. Proof of service by registered mail should include the original receipt given by the post office which includes the date of service, the address of service, and evidence the address is the person's address at the time of mailing.

The tenants applied for a Monetary Order which requires that the tenants serve each respondent as set out under section 89(1). Sending two hearing packages in one envelope is not sufficient service upon two respondents. As I have been unable to determine which landlord received the registered mail I have dismissed this application with leave to reapply.

The tenants are at liberty to reapply for double the security deposit in order to sufficiently serve each of the landlords.

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: February 04, 2011.

Residential Tenancy Branch