



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD, FF

Introduction

This matter dealt with an application by the Tenant for the return of a security deposit and to recover the filing fee for this proceeding.

The Tenant said she served the Landlord with the Application and Notice of Hearing (the “hearing package”) on January 20, 2011 by leaving a copy in the mail box at the rental property. Section 89 of the Act says that an Application for dispute resolution must be served either in person or by registered mail. Consequently, I find that the Landlord has not been properly served with the Tenant’s application and it is dismissed with leave to reapply.

Conclusion

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: February 03, 2011.

Residential Tenancy Branch