



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes:** MNSD, FF

### Introduction

This is the Tenant's application for return of the security deposit; and to recover the cost of the filing fee from the Landlord.

The Tenant gave affirmed testimony at the Hearing.

### Preliminary Matters

The Tenant testified that he sent the Notice of Hearing documents to the Landlord, by courier, on April 25, 2011, to the address provided by the Landlord's agent. The Tenant provided the bill of lading number, but did not provide evidence that the documents were delivered to the Landlord.

Section 89 of the Act provides methods of service of an Application for Dispute Resolution. Section 89 of the Act does include service by way of courier and therefore the Tenant has not provided sufficient proof that the Landlord was served with the Notice of Hearing documents. Therefore, I dismiss the Tenant's application 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: August 10, 2011.

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Residential Tenancy Branch