



# 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 recovery of the cost of the filing fee from the Landlord.

The Tenant gave affirmed testimony at the Hearing.

The Tenant testified that his friend served the Landlord with the Notice of Hearing documents by registered mail. The Tenant did not know what date the documents were mailed to the Landlord. The Tenant could not provide the tracking number for the documents. The Tenant stated that his friend provided documentary evidence to the Residential Tenancy Branch shortly after the Tenant filed his application, but no documentary evidence was on the case file.

This matter was scheduled to be heard by teleconference at 9:30 a.m., October 4, 2011. By 9:40 a.m., the Landlord had still not signed into the Hearing.

The Tenant provided insufficient evidence that the Landlord was served with the Notice of Hearing documents. Therefore the Tenant's application 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: October 05, 2011.

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Residential Tenancy Branch