



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was scheduled for 9:30 a.m. on this date to hear the tenant's application for return of the security deposit. The landlord did not appear at the hearing. The tenant testified that the landlord was served with notification of this hearing by registered mail. The tenant had not provided a copy of the registered mail receipt prior to the hearing and was unable to provide the tracking number or date of mailing during the hearing.

Residential Tenancy Policy Guideline 12 provides information on service requirements. It provides that where the respondent does not appear at a hearing, the applicant must be prepared to prove service under oath. Proof of service by registered mail should include the original receipt given by the post office and should include the date of service, the address of service, and that the address of service was the person's residence at the time of service, or the landlord's place of conducting business as a landlord at the time of service. Failure to prove service may result in the matter being dismissed, or dismissed with leave to reapply.

In this case, I find I was not provided sufficient proof of service and I have dismissed the application 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: December 06, 2011.

Residential Tenancy Branch