



# 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 Tenants' application, filed September 14, 2011, for a monetary order for double the security deposit paid to the Landlords and to recover the cost of the filing fee from the Landlords.

The Tenants gave affirmed testimony at the Hearing.

This matter was scheduled to be heard at 1:30 p.m., December 2, 2011, by teleconference. The Tenants and I waited 10 minutes for the Landlords to sign into the conference, but by 1:40 p.m. neither Landlord had signed into the conference.

The female Tenant testified that she served the Landlords with the Notice of Hearing documents "maybe in June sometime" by registered mail. She stated that she did not remember for certain when she mailed the documents. She stated that her wallet was stolen a couple of weeks ago and the registered mail receipts were in her stolen wallet. The Tenants did not provide copies of the registered mail receipts in evidence.

I explained to the Tenants that there was insufficient evidence with respect to service of the Notice of Hearing documents and therefore their application was dismissed with leave to reapply.

The male Tenant became belligerent and uttered profanities, at which point I ended the call.

### **Conclusion**

The Tenants' 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: December 05, 2011.

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Residential Tenancy Branch