



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the tenant only. The landlord did not attend.

The tenant testified he served the landlord with the notice of hearing documents, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by regular but not registered mail on October 26, 2011. Section 89 requires service of dispute resolution documents to be served by registered mail.

As such, I find the tenant has failed to serve the landlord with notice of hearing documents in accordance with the *Act*.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to a monetary order for double the amount of the security deposit and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Act*.

Conclusion

As I have found the tenant failed to serve the landlord in accordance with the *Act*, I dismiss his 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: January 06, 2012.

Residential Tenancy Branch