



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, MNDC, FF

This hearing was convened in response to a claim filed by the landlord seeking a monetary Order for damages, seeking an Order to be allowed to retain the security deposit and to recover the filing fee.

The landlord appeared at the hearing, the tenant did not.

The landlord testified that she served the tenant with notice of her claim and notice of this hearing by way of mail and electronic mail. As electronic mail is not an acceptable means of service the landlord was asked to provide further details as to service by way of registered mail. The landlord could not recall the date she mailed the Application for Dispute Resolution and Notice of Hearing to the tenant nor was she able to supply the registered mail receipt number.

Based on the fact that the tenant did not appear at the hearing and that the landlord was unable to supply details of service I am not satisfied that the tenant has had notice of this hearing and/or this claim.

This claim is therefore 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: June 25, 2012.

Residential Tenancy Branch