



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

MNSD, FF

Introduction

This Dispute Resolution hearing was held to deal with an Application by the tenant for a monetary order against the landlord for failing to return the tenant's security deposit within 15 days after the end of the tenancy and the provision of a written forwarding address.

The tenant was in attendance. The landlord did not appear.

Preliminary Issue

At the outset of the hearing, the tenant advised that the Notice of Dispute Resolution Hearing documents were not served to the correct address.

The burden is on the applicant to prove that the service was in accordance with the Act.

Given the above, I find that the matter under dispute cannot proceed because the tenant conceded that the tenant was not served. I find that I must dismiss this application with leave to reapply at a later date, should the tenant wish to proceed with the claim for a refund of double the security deposit.

Conclusion

Based on evidence and testimony, I hereby dismiss this 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: August 09, 2012.

Residential Tenancy Branch