



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was convened on the tenant's application of June 26, 2012 seeking return of his security deposit in double on the grounds that the landlords did not return it or make application to claim on it within the latter of 15 days from the end of the tenancy or receipt of the tenant's forwarding address.

In the absence of the landlords' participation in the telephone conference call hearing, the tenant was asked about the method he used to serve the Notice of Hearing. The tenant stated that he had served the landlords by posting the notices on their door.

Section 89 of the *Act* requires that:

"(1) An application for dispute resolutionmust be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;
- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;
- (e) as ordered by the director under section 71 (1) [*director's orders: delivery and service of documents*]."

As methods of service required of a Notice of Hearing do not include posting the notices as was done by the applicant, and in the absence of the landlords at the hearing, I have no way to verify that the landlords were served as required.

Therefore, I must dismiss the application but grant the tenant 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: September 05, 2012.

Residential Tenancy Branch