



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, FF

Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which tenants have requested compensation for damage or loss under the Act and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

The tenants provided affirmed testimony that each landlord was served copies of the Application for Dispute Resolution and Notice of Hearing sent via regular mail.

When an application includes a claim for compensation Section 89 of the Act requires service to each respondent via registered mail. As the Notice of hearing was not served via registered mail I determined that service was not established. The hearing was ended at 9:10 a.m.; neither landlord attended.

Therefore, I find that the application is dismissed with leave to reapply.

Conclusion

The application is dismissed with leave to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 03, 2012.

Residential Tenancy Branch