



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNSD MNDC FF

Introduction

This hearing was convened on the landlord's application for monetary compensation and an order to retain the security deposit in partial compensation of the claim. The landlord, the tenant and legal counsel for the tenant participated in the teleconference hearing.

Preliminary Issue – Failure of Service

The tenant was not served with the landlord's application or any of the landlord's evidence. The tenant herself obtained a copy of the notice of hearing from the Residential Tenancy Branch after she discovered that the landlord had filed a claim against her.

As the tenant was not served with the landlord's application or evidence, I dismiss the landlord's 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: November 7, 2012.

Residential Tenancy Branch