



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNR, FF

Introduction

This was the hearing of applications by the tenant and by the landlord. The tenant applied for the return of her security deposit. The landlord applied for a monetary order for loss of revenue and for an order to retain the tenant's security deposit. The tenant filed her application on August 30, 2012, but did not serve it until October 23, 2012. The landlord testified that she did not receive the tenant's application for dispute resolution, but only received a Notice of Hearing and an information sheet.

The landlord filed her application on October 30, 2012. The landlord said that she sent it to the tenant by registered mail, but it was sent to an incorrect address for the tenant that was provided by the Residential Tenancy Office. The tenant testified at the hearing that she has not received the landlord's application for dispute resolution and was unaware that the landlord had filed an application.

Conclusion

Because neither party has been properly served with the other party's application for dispute resolution and because the parties have not provided all the necessary documentary evidence to substantiate their respective claims, I dismiss both applications 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 08, 2012.

Residential Tenancy Branch