



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a Monetary Order for the return of the security deposit.

The tenant states the landlord was served by e-mail with a copy of the Application and Notice of Hearing. The landlord did not attend the conference call and the tenant was unable to provide any evidence to prove service of the hearing documents on the landlord. I further find that e-mail is not a correct method to serve a party with an application and notice of hearing.

To find in favour of an application, I must be satisfied that the rights of all parties have been upheld by ensuring the parties have been given proper notice to be able to defend their rights. In the absence of proof that the landlord was served with the hearing documents in accordance with the section 89 of the *Act*, I dismiss the tenant'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: February 25, 2013

Residential Tenancy Branch

