



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the landlord for a monetary order for damage to the unit, site or property; for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenant for the cost of the application.

An agent for the landlord company attended the conference call hearing, however the tenant did not attend. The landlord's agent stated that an application for substitutional service was made by the landlord and heard on October 30, 2012. The Decision on that application states that the application is denied. The landlord has not re-served the tenant with this application and notice of hearing but has filed another application under file number 800178 which is scheduled to be heard on January 30, 2013.

Analysis

In the circumstances, it is clear that the application of the landlord for an order permitting the landlord to serve the tenant in another way than prescribed was denied. The landlord has chosen to file another application and serve the tenant, and that matter is presently scheduled to be heard at a later date. In the circumstances, I dismiss this application with leave to reapply.

Conclusion

For the reasons set out above, the landlord's application is hereby dismissed 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: January 29, 2013

Residential Tenancy Branch

