



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking a monetary order for money owed or compensation for damage or loss, a monetary order for a return of his security deposit, and for recovery of the filing fee.

The landlord did not appear at the hearing.

The tenant stated that he has not been able to locate the landlord to serve him with a copy of his Application for Dispute Resolution and Notice of Hearing package or evidence, as required by section 89 of the Act.

The tenant said he understood that the landlord was required to be served with the hearing documents and evidence; however, when he called the Residential Tenancy Branch ("RTB"), he was informed that he could appear at the hearing and the hearing could be extended, according to the tenant.

Conclusion

As the respondent/landlord has not been served with the Notice of Hearing and the tenant's application for dispute resolution, I find I cannot proceed with this hearing and I hereby **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: April 19, 2013

Residential Tenancy Branch