



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was scheduled to deal with a tenant's request for return of her security deposit. The landlord did not appear at the hearing. The tenant testified that she gave the hearing documents to the landlord's adult son at the landlord's residence because the landlord was not home at the time. The tenant confirmed that she has received no response from the landlord after she gave the hearing documents to the landlord's son.

Where a tenant files a monetary claim against a landlord, the tenant must serve the tenant's Application for Dispute Resolution upon the landlord using one of the methods of service provided under section 89(1) of the Act. Where an applicant chooses to serve an Application for Dispute Resolution using personal delivery the documentation must be given to the respondent directly. I find the tenant's testimony that she gave the hearing documents to the landlord's son does not satisfy me that the named landlord was sufficiently served. Therefore, I dismiss this Application for Dispute Resolution 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: August 20, 2013

Residential Tenancy Branch

