



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was convened by way of a conference call in response to an application made by the tenant for the return of all or part of the pet damage and security deposit.

The tenant filed this application and served the landlord by registered mail with a copy of the application and Notice of Hearing documents. The Canada Post tracking number was provided as evidence for this method of service. The landlord confirmed receipt of the documents and based on this I find that the landlord was served the hearing documents as required by the Residential Tenancy Act (referred to as the 'Act').

Analysis & Conclusion

The tenant stated that he had given the landlord a forwarding address by writing it on a file folder during the walkthrough inspection. However, the landlord stated that he had not received any forwarding address from the tenant and only got this on the Tenant's Application for Dispute Resolution. The tenant was unable to provide corroborating evidence in regards to the service of the forwarding address.

As I am not satisfied that the tenant has followed the requirements of the *Act* in providing the landlord with a forwarding address, I dismiss the tenant's application with leave to re-apply.

However, the landlord is hereby put on notice that he will be deemed to have received the decision 5 days after the date it was written and will have 15 days from that date of receipt (by November 25, 2013) to deal with the deposit pursuant to Section 38 of the *Act*. The tenant confirmed the address on his application as his forwarding address.

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 05, 2013

Residential Tenancy Branch

