



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CANADIAN MENTAL HEALTH ASSOCIATION and HUME INVESTMENTS
TIFFANY PLACE APARTMENTS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This hearing was convened by way of a conference call in response to an application by the tenant for: the return of all or part of the security deposit; for money owed or compensation for damage or loss under the Residential Tenancy Act (referred to as the *Act*), regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of this application.

The tenant filed this application and served the landlord by registered mail with the hearing documents. The Canada Post tracking number was provided as evidence for this method of service. Section 90 of the Residential Tenancy Act (referred to as the '*Act*') states that a document served by mail is deemed to have been received five days later. Based on this, I find that the landlords were served the hearing documents as required by the *Act*. Two agents representing the tenant appeared for the hearing. There was no appearance by the landlord.

Analysis & Conclusion

At the start of the hearing the agents for the tenants explained that the landlord had returned the full amount of the security deposit. As a result the agents withdrew the tenant's application in full. As no further action is required with respect to the application, I dismiss it in its entirety and the file is now closed. However, this does not extend any applicable time limits under the *Act* and I have made no findings of fact or law with respect to the merits of this application.

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 08, 2013

Residential Tenancy Branch

