



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MND, MNDC, FF

This hearing was convened in response to an application by the Landlords and an application by the Tenants pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

The Landlords applied on November 2, 2013 for:

1. A Monetary Order for damages to the unit – Section 67;
2. A Monetary Order for compensation – Section 67;
3. An Order to retain the security deposit – Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

The Tenants applied on November 6, 2013 for:

1. An Order for the return of the security deposit – Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

The Landlords appeared at the hearing. The Tenants did not appear. The Landlords did not serve the Tenants with their application and notice of hearing letter as they have not received a forwarding address from the Tenants nor have they received the Tenants’ application.

The Act provides the following requirements for service of the Application

**89** (1) An application for dispute resolution or a decision of the director to proceed with a review under Division 2 of Part 5, when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;

(b) if the person is a landlord, by leaving a copy with an agent of the landlord;

(c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;

(d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;

(e) as ordered by the director under section 71 (1) [*director's orders: delivery and service of documents*].

As there is no evidence of required service from either Party I dismiss each application with leave to reapply. Leave to re-apply is not an extension of any applicable limitation period.

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: February 20, 2014

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Residential Tenancy Branch

