



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD; FF

Introduction

This is the Tenant's application for return of the security deposit; and to recover the cost of the filing fee from the Landlord.

Preliminary Matters

The Tenant testified that he mailed the Notice of Hearing documents and copies of his documentary evidence, by registered mail, to the Respondent on January 23, 2014.

The Tenant's documentary evidence includes copies of rent cheques that he wrote to his landlord. The last name of the landlord on his rent cheques is different from the last name of the Respondent. The Tenant stated that the name on the rent cheques is the correct name, and that he mistakenly put the wrong last name for the Respondent on his Application for Dispute Resolution. He stated that the Respondent's last name on his Application is the name she uses for her e-mail address. The Tenant confirmed that the Notice of Hearing documents were also addressed to the wrong last name given on his Application.

The teleconference was left open for 20 minutes and the Respondent did not sign into the conference. I explained to the Tenant that he had not provided sufficient evidence that he served his Landlord with the Notice of Hearing documents and therefore, I dismissed his application with leave to re-apply.

Conclusion

The Tenant's application is dismissed, 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: May 08, 2014

Residential Tenancy Branch

