



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Remax RHC Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for damage to the rental unit, to retain the security deposit and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

The landlord provided a copy of a Canada Post registered mail receipt for 1 hearing package, sent to both tenants on March 24, 2014.

During the hearing the landlord checked the Canada Post tracking information and determined that the mail had been retrieved by an individual who is unknown to him. There was no indication that either of the 2 tenants had signed, accepting the 1 registered mail hearing package sent by the landlord.

Residential Tenancy Branch policy suggests that when there are multiple respondents, each of those respondents must be served with a separate hearing package and all evidence. I find this takes a reasonable stance. Therefore, as I am unable to determine that at least 1 of the 2 tenants was served with Notice of the hearing, I find that application is dismissed with leave to reapply.

The landlord is at liberty to reapply and to serve each tenant, separately, to the address provided by the tenants on March 7, 2014. The landlord applied, claiming against the security deposit within fifteen days of March 7, 2014, the date the address was given.

Conclusion

The application is dismissed with leave to reapply within the legislated time-frame.

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: July 10, 2014

Residential Tenancy Branch

