



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for the return of all or part of the security deposit.

The tenant attended the hearing. As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The tenant stated that the Application for Dispute Resolution and Notice of Hearing were left in the landlord's mail slot on September 4, 2014.

Under section 89 of the Act, Special rules for certain documents, an application for dispute resolution, must be given in one of the following ways: by leaving a copy with the person; by leaving a copy with an agent of the landlord; by sending a copy by registered mail.

In this case, the application for dispute resolution was left in the landlord's mail slot. As a result, I find the tenant has not met the service requirements of section 89 of the Act. Therefore, I dismiss the tenant's application with leave to reapply.

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: October 23, 2014

Residential Tenancy Branch

