



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: MNSD FF

### **Introduction**

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) for orders as follows:

- a) An Order to return double the security/pet damage deposits pursuant to Section 38; and
- b) To recover the filing fee for this application.

### **SERVICE**

The landlord did not attend. The tenant stated she had served the landlord with the Application for Dispute Resolution by registered mail and provided two tracking numbers. However, the Canada post tracking system could find no record of the numbers. I find insufficient proof of service. I find the documents were not served pursuant to section 89 of the Act for the purposes of this hearing.

### **Analysis:**

Section 89 of the Act provides that an Application for Dispute Resolution/Notice of Hearing must be served either personally or by registered mail. I find insufficient evidence that the Application was served or that the landlord had notice of this hearing.

### **Conclusion:**

I dismiss the Application of the tenant due to insufficient evidence of service. I give her 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: September 04, 2014

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Residential Tenancy Branch

