



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, MNDC, OLC, FF

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* for Orders as follows,

1. Return of the security deposit and pet damage deposit – Section 38
2. A Monetary Order for damage or loss - Section 67
3. An Order to recover the filing fee for this application - Section 72

The tenant attended the conference call hearing. The landlord did not. The tenant testified they did not serve the landlord with Notice of Hearing for today's hearing. The tenant claimed they were of the understanding the Branch would send the landlord the Notice. None the less the tenant did send the landlord a quantum of evidence in respect to their claim for which they provided a registered mail number. I am not satisfied that the landlord was properly served with Notice of Hearing, pursuant to Section 89 of the Residential Tenancy Act and that therefore the landlord is fully aware of the claim against them. As a result, **I dismiss** the landlord's application, *with leave to reapply*.

Conclusion

The landlord'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: November 10, 2014

Residential Tenancy Branch

