



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Zoro Holdings Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, MNSD, FF

This hearing was set to hear the tenants' application for return of double the security deposit and pet damage deposit. Both parties appeared and had an opportunity to be heard.

Although the tenants had filed their application for dispute resolution on August 20, 2014, they had not made any attempt to serve the landlord until on or about February 15, 2015, when they sent it to the landlord by registered mail. The tenant JS acknowledged that the delay was negligence on her part. The tenants had not filed the post office receipt in advance of the hearing nor were they able to provide the tracking number in the hearing. The landlord said they received the Application for Dispute Resolution and Notice of Hearing in the mail about eight days ago.

The *Residential Tenancy Act* provides that an Application for Dispute Resolution must be served within three days of receipt from the Residential Tenancy Branch. The *Rules of Procedure* provide that at the hearing the applicant must be prepared to demonstrate to the satisfaction of the arbitrator that each respondent was served with the hearing package and evidence, and that evidence that is not filed and served with the Application for Dispute Resolution must be served on the Respondent not less than 14 days before the hearing. Clearly the tenants did meet any of these deadlines and requirements.

With the consent of all parties this application was dismissed with leave to re-apply.

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: March 11, 2015

Residential Tenancy Branch

