



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD FF O

Introduction

This hearing convened pursuant to the tenant's application for monetary compensation, including recovery of the security deposit. The tenant called in to the teleconference hearing but the landlord did not.

Preliminary Issue – Service of Hearing Package

The tenant stated that within three days of filing her application she had a friend attempt to personally serve the landlord with the hearing package, including the tenant's application and notice of the hearing. The tenant stated that her friend called the tenant to ask for a description of the landlord, and then the friend asked the person on the property matching that description if he was the landlord. The person replied that he was not, so the tenant's friend put the hearing package through the mail slot.

Under section 89 of the Act, the tenant's hearing package could not be served by putting it through the mail slot. I cannot be satisfied that the landlord was served with the tenant's application and notice of the hearing, and I therefore dismiss the tenant's application with leave to reapply.

The tenant also stated that she had not given the landlord her forwarding address in writing prior to making her application for recovery of the security deposit. I informed the tenant that the portion of her claim regarding the security deposit was premature.

Conclusion

The 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: September 21, 2015

Residential Tenancy Branch

