



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This was a hearing with respect to an application by the landlord for a monetary award and for an order to retain the security deposit. The landlord called in and participated in the hearing. The tenant did not attend. The landlord testified that he was unable to serve the tenant with the application for dispute resolution and Notice of Hearing because the tenant moved out and refused to provide his address.

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?
Is the landlord entitled to retain the security deposit?

Background and Evidence

The landlord testified that the tenants damaged the rental unit and refused to return the key when they moved out. The landlord said he has had to repair damage before new tenants could move in. He said that the tenant wanted the landlord to return the security deposit, but the tenant refused to give the landlord his new address. The landlord has been unable to serve the tenant.

Analysis and Conclusion

In the absence of proof that the tenant has been served with the application and Notice of Hearing, this application is dismissed with leave to reapply. The landlord has been advised that he is not required to make another application to retain the security deposit unless and until the tenant provides him with his forwarding address in writing.

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 02, 2015

Residential Tenancy Branch

