



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

This was a hearing with respect to the landlords' application for a monetary award and for an order to retain the security deposit. The hearing was conducted by conference call. The named landlord called in and participated in the hearing. The tenant did not attend the hearing.

Issue(s) to be Decided

Are the landlords entitled to a monetary award and if so, in what amount?
Are the landlords entitled to retain all or part of the security deposit?

Background and Evidence

The rental unit is a basement suite in the landlords' house in Surrey. The landlords application was filed on September 10, 2015. The landlords did not submit any documentary evidence in support of their application. The landlords did not provide proof that the tenant was served with the application and Notice of Hearing, although the landlord said at the hearing that the tenant was served with the application by registered mail.

This is the third application by the landlord with respect to this tenancy. In an August 5, 2015 decision with respect to a direct request application the landlords were granted an order for possession and a monetary order for unpaid rent for the month of June in the amount of \$950.00. The landlords filed a second application which they cancelled before filing the current application. In this application the landlords have requested payment of rent for two months. The claim for unpaid rent in this application appears to include a claim for June rent, for which the landlords have already received a monetary award.

Analysis and conclusion

In the absence of any documentary evidence in support of the application and in the absence of proof that the tenant was served with the application and Notice of Hearing, this 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: February 02, 2016

Residential Tenancy Branch

