



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, O

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for the return of double the security deposit pursuant to section 38 and 67 of the Act.

The tenant attended the hearing via conference call and provided undisputed affirmed testimony. The landlord did not attend or submit any documentary evidence. The tenant stated that in November of 2015, the notice of hearing package was sent via Canada Post Registered Mail to the landlord. The tenant clarified that the package was returned by Canada Post as the "address does not exist." The tenant stated that she used the address provided on the signed tenancy agreement, but discovered that the company had moved. The tenant stated that she is unable to locate the landlord or the landlord's agent to serve the notice of hearing package.

On the basis of this evidence, I am not satisfied that the landlord was deemed served with the dispute resolution package pursuant to sections 90 of the Act. The tenant's application is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: June 16, 2016

Residential Tenancy Branch