



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC, MNSD, FF

### Introduction

This was a hearing with respect to the tenants' application for the return of their security deposit. The hearing was conducted by conference call. The named tenant called in and participated in the hearing. The landlord did not call in and did not participate.

The tenants' documentary evidence submitted in support of their application included a Canada Post receipt. The tenants sent the application and Notice of Hearing to the landlord by ordinary mail on December 18, 2015. Section 89 of the *Residential Tenancy Act* provides that an application for dispute resolution must be served on a landlord by sending a copy by registered mail to the address where the landlord resides or where the landlord carries on business. The definitions in section 1 of the *Residential Tenancy Act* provides that "registered mail" includes any method of mail delivery provided by Canada Post for which confirmation of delivery to a named person is available.

Because the hearing documents were not sent to the landlord by registered mail as required and because the landlord has not attended the hearing or acknowledged that she receive the documents, I find that the tenants have not established that the landlord was served with the application for dispute resolution and Notice of Hearing. The tenants' application is therefore 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: July 18, 2016

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Residential Tenancy Branch