



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing was convened by conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenant for the return of double her security deposit. The Tenant appeared for the hearing and provided affirmed testimony but no documentary evidence prior to the hearing. There was no appearance for the Landlord during the 18 minute duration of the hearing. Therefore, I turned my mind to the service of documents to the Landlord for this hearing. The Tenant explained that she served the Application and the Notice of Hearing documents by placing them into the Landlord’s mail slot. The Tenant did not know if the Landlord received these documents.

Section 89(1) of the *Residential Tenancy Act* (the “Act”) provides for the options a party has when putting a party on notice of a claim and a resulting hearing. In this case, serving these documents by putting them in the mail slot is not allowed. Therefore, I must find that the Tenant failed to serve the Landlord with notice of this hearing pursuant to the Act. As a result, I dismiss the Tenant’s Application with leave to re-apply. The Tenant was also cautioned about providing sufficient evidence that the Landlord has been served with the Tenant’s forwarding address pursuant to Section 38(1) of the Act. The Tenant must have sufficient evidence of this before making the Application again. 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 19, 2016

Residential Tenancy Branch