



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNSD, MNR, FF, MNDC, OLC, PSF, O

Introduction

In the first application, by filing number, the landlords apply to keep the security deposit and for a monetary award for rent and for the cost of painting a door.

In the second application the tenants seek to recover the security deposit and for an award of the equivalent of one month's rent because the rental unit is an illegal one.

Neither landlord attended for the hearing within 15 minutes after its scheduled start time. The tenant Ms. M. attended and was ready to proceed. In these circumstances the landlords' application is dismissed without leave to re-apply.

The tenant Ms. M. testified that she served the landlords with the tenants' application by leaving the application for dispute resolution and notice of hearing on the ground at the sill of the landlords' door on or about April 18, 2016.

This is not an approved method of service of an application as set out by s. 89 of the *Residential Tenancy Act*. Failing the landlords' attendance at the hearing or proof they were duly served, the tenants' application must be dismissed, with leave to re-apply.

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: August 24, 2016

Residential Tenancy Branch