



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDS, MNSD, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the landlords for a monetary order for damage to the unit, site or property; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order permitting the landlords to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application.

Both landlords attended the hearing, however no one for the tenants joined the call.

One of the landlords advised that the tenants were served with the hearing package by registered mail on April 21, 2016, and the other tenant was served on April 22, 2016 personally. The landlords filed the application for dispute resolution on March 22, 2016 and received the hearing packages from the Residential Tenancy Branch the same day for service to the tenants, and were unaware that service sooner was required.

The *Residential Tenancy Act* specifies that a landlord or a tenant who makes an application for dispute resolution must serve the other party with a copy of it and the notice of the dispute resolution hearing within 3 days of filing the application. In this case, the landlords did not serve the documentation within the time required, and therefore, I dismiss the application with leave to reapply.

I have made no findings of fact or law with respect to the merits of the landlords' application.

Conclusion

For the reasons set out above, the landlords' application is hereby 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: September 20, 2016

Residential Tenancy Branch

