



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, OLC, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the tenant only.

The tenant testified the landlord was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail. The tenant could not recall the specific date that she sent the hearing documents by registered mail, but she stated she could submit her Canada Post receipts and tracking information.

I order the tenant could have until the end of business on November 18, 2016 to submit this documentation. The tenant did not submit any confirmation of service by registered mail.

Based on the above, I find that the tenant has been failed to provide sufficient evidence to establish that she has served with the relevant documents to the landlord pursuant to the *Act* for the purposes of this claim.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to a monetary order for return of the security deposit and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Act*.

Conclusion

As I am not satisfied the tenant has served the landlord with her Application for Dispute Resolution and notice of this hearing, I dismiss this Application in its entirety 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: November 24, 2016

Residential Tenancy Branch