



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR MNSD FF

Introduction

This hearing convened pursuant to the landlord's application for monetary compensation and an order to retain the security deposit. The landlord called in to the teleconference hearing but the tenant did not.

Preliminary Issue – Service of Notice of the Hearing

The landlord stated that they served the tenant with the application for dispute resolution and notice of hearing by regular mail.

Under section 89 of the Act, certain documents, including an application for dispute resolution, cannot be served by sending it via regular mail. This information is also contained in the Dispute Resolution Process fact sheet that is provided to all applicants.

As the landlord failed to serve the application for dispute resolution in accordance with section 89 of the Act, I dismiss the landlord's application with leave to reapply.

Conclusion

The landlord's application is 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: January 10, 2017

Residential Tenancy Branch

