



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MNDC, MNSD, FF

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- a monetary order for the return of double the security deposit pursuant to section 38 and 67 of the Act;
- authorization to recover her filing fee for this application from the landlord pursuant to section 72.

The tenant attended the hearing via conference call and provided undisputed affirmed testimony. The landlord did not attend or submit any documentary evidence. The tenant stated that the landlord was served in person at his work place on September 22, 2016. The tenant clarified that she had attended at the landlord's work place after being unable to locate the landlord since the end of the tenancy. The tenant provided undisputed affirmed testimony that the notice of hearing package and the submitted documentary evidence was given to the receptionist at the landlord's work place. A review of the Residential Tenancy Branch (RTB) File shows that a package was delivered to the RTB on September 26, 2016 which is confirmed to be the notice of hearing package served by the tenant. An attached letter states in part that the notice of hearing package was left with the receptionist when they are not authorized to accept and receive mail on behalf of past or current employees.

On the basis of this evidence, I am not satisfied that the landlord was deemed served with the dispute resolution package pursuant to sections 90 of the Act. The tenant's application is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: March 22, 2017

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Residential Tenancy Branch