



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes            MNSD, FF

### Introduction

On September 30, 2016, the Tenant submitted an Application for Dispute Resolution requesting that the Landlords return of all or part of the pet damage deposit or security deposit, and to recover the filing fee for the Application.

The Tenant L.B. appeared at the teleconference hearing; however, the Landlords did not.

The Tenant testified that the Notice of Hearing was sent to the Landlord's address using Registered Mail. The Tenant testified that the Registered Mail was returned to her as unclaimed.

The Tenant also testified that a document containing her forwarding address was sent to the Landlord by registered mail in September 2016, and was returned with an indication that the Landlord had moved.

The Tenant testified that she used the Landlord's address that was provided in the tenancy agreement, but she did not take any further steps to determine whether or not the Landlord still resides at the address.

In the circumstances, I find that it is not reasonable to conclude that the deeming provisions under section 90 of the Act, for serving a Notice of Hearing on a person apply.

I am not satisfied that the Landlords have been properly served with the Notice of Hearing; therefore, the Tenant'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: April 03, 2017

---

Residential Tenancy Branch