



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing was scheduled to convene at 1:30 p.m. this date by way of conference call concerning an application made by the tenant seeking a monetary order for return of all or part of the pet damage deposit or security deposit and to recover the filing fee from the landlords for the cost of the application.

The tenant attended the hearing and provided evidentiary material in advance of the hearing. However, the line remained open while the phone system was monitored for in excess of 15 minutes and no one for the landlords joined the call during that time.

The tenant advised that the landlords were both served in one package by registered mail with the hearing package but did not recall the date. The *Residential Tenancy Act* requires that each respondent must be served within 3 days of making the application. The tenant was unable to prove that the landlords were served in accordance with the *Residential Tenancy Act*, and I dismissed the tenant's application with leave to reapply.

Conclusion

For the reasons set out above, the tenant's 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: May 09, 2017

Residential Tenancy Branch