



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC

Introduction

This is an application brought by the tenant(s) requesting a monetary order in the amount of \$2700.00.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed to the respondent's present address; however the respondent(s) did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Decision in reasons

This is an application requesting the return of a security deposit, and also claiming monetary compensation for wrongful eviction; however the applicants have failed to provide any proof of having paid a security deposit and have also failed to provide a copy of the alleged wrongful eviction notice.

In the absence of these documents, it's my finding that I have insufficient evidence to make a finding on whether the applicants have the right to the return of any security deposit, or whether they were wrongfully evicted, and therefore, since the respondents did not appear at today's hearing is my decision that I am willing to dismiss this application with leave to reapply.

If the applicants wish to pursue this matter, they will have to file a new application and ensure that they provide evidence to support their claim

Conclusion

Pursuant to section 62 of the Residential Tenancy Act, this 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: June 19, 2017

Residential Tenancy Branch