



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, dated May 16, 2017 (the "Application"). The Tenants applied for the following relief pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for money owed or compensation for damage or loss; and
- an order granting recovery of the filing fee.

The Tenants attended the hearing on their own behalves and provided affirmed testimony. The Landlords did not attend the hearing.

The Tenants testified they retained a bailiff to serve the Landlords with the Application package and documentary evidence. However, a note from a customer service representative at Service BC to the Residential Tenancy Branch, dated October 11, 2017, stated:

Bailiff attended office with sealed documents and requested they be mailed to Residential Tenancy Branch. Bailiff states he was given documents to serve to each LL by the tenant [D.B.], but [D.B.] never paid him for his service and as a result the documents were never served. He states he has been trying to contact [D.B.] for over a month. I spoke to Residential Tenancy on the phone and advised Bailiff there is not much Residential Tenancy Branch can do. Bailiff insisted documents be mailed to Residential Tenancy.

[Reproduced as written.]

Attached to the note was documentary evidence submitted by the Tenants, and a sealed envelope addressed to the Landlord D.P.

In light of the above, I find I am not satisfied the Tenants' Application package and documentary evidence was served on the Landlords in accordance with the *Act*. Accordingly, the Tenants' claim is dismissed, with leave to reapply.

Conclusion

The Tenants' 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: October 25, 2017

Residential Tenancy Branch