



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OLC, FF

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for a monetary order for the return of the security deposit and for the filing fee.

The tenant testified that she served the landlord with the notice of hearing package in person, at the address provided by the landlord as his service address, on the tenancy agreement. The tenant filed a copy of the tenancy agreement. The address for service as provided by the landlord is the address of the rental unit. The tenant visited the rental unit and was met by the occupant of the rental unit, who refused to accept the package on behalf of the landlord. The tenant stated that she did not have any other address for the landlord and did not make any further attempts to serve the landlord. I informed the tenant that she could send it by registered mail and the landlord would have been considered served, as it was the service address he provided the tenant with.

Based on the testimony of the tenant, I find that the landlord was not properly served pursuant to section 88 of the *Residential Tenancy Act*.

Conclusion

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: March 16, 2018

Residential Tenancy Branch