



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- authorization to obtain a return of all or a portion of the security deposit, including double the amount, pursuant to section 38;

The hearing was conducted by conference call. The landlord did not attend the hearing.

Preliminary Issue: Service of Tenant's Application

The tenant advised she filled out her application online and received a Notice of Hearing; however, she didn't realize that she was to serve the landlord with a copy of the hearing Notice. The tenant confirmed the landlord has not been served with the Notice of Hearing and application for dispute resolution. As the landlord has not been served, the tenants' application is dismissed with leave to reapply.

Conclusion

I dismiss the tenant's application 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 17, 2018

Residential Tenancy Branch