



# 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 an Application for Dispute Resolution by the tenant for the return of their security deposit.

Both parties appeared.

### Preliminary and Procedural matters

At the outset of the hearing the landlord stated that they were not served with the tenant's application or the notice of hearing. The landlord stated that they only found out about the hearing as they received an email from the Residential Tenancy Branch and contact them to find out there was a hearing scheduled.

The tenant testified that they left the hearing package on the landlord's doorstep.

### **Special rules for certain documents**

**89** (1) An application for dispute resolution or a decision of the director to proceed with a review under Division 2 of Part 5, when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to

the address at which the person carries on business as a landlord;

(d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;

(e) as ordered by the director under section 71

(1) [*director's orders: delivery and service of documents*].

In this case, the tenant did not serve the landlord in accordance with section 89 of the Act. Therefore, 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: June 28, 2018

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Residential Tenancy Branch