



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD FF

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, made on December 7, 2017 (the "Application"). The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order granting return of all or part of the security deposit or pet damage deposit; and
- an order granting recovery of the filing fee.

The Tenant H.Z. attended the hearing on behalf of the Tenants and provided affirmed testimony. The Landlord did not attend the hearing.

On behalf of the Tenants, H.Z. confirmed the Tenants did not serve the Application package on the Landlord. He indicated the Tenants were unaware of their obligation to do so. Although H.Z. attended the hearing at the appointed date and time, he suggested the Tenants did not receive documents to be served on the Landlord from the Residential Tenancy Branch. I find the Landlord was not served with the Application package in accordance with the *Act* and has not received notice of the hearing. Accordingly, I find it appropriate in the circumstances to dismiss the Application, with leave to reapply. This is not an extension of any applicable time limit under the *Act*.

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: July 24, 2018

Residential Tenancy Branch