



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD FFT

### Introduction

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

- return of the security deposit pursuant to section 38 of the *Act*; and
- recovery of the filing fee for this application pursuant to section 72 of the *Act*.

As only the tenant, who was the applicant in this matter, attended at the date and time set for this hearing, I asked the tenant to confirm that the landlord has been served with the Notice of Dispute Resolution Proceeding for this hearing. The tenant was unable to locate the Canada Post registered mail tracking receipt to prove service of the Notice on the landlord. As such, the tenant withdrew this Application for Dispute Resolution due to a service of documents issue. The tenant is at liberty to reapply. I make no findings on the merits of the matter. The issuance of this decision with leave to reapply does not extend any applicable time limits under the *Act*.

### Issue(s) to be Decided

Is the tenant entitled to the return of all or a portion of the security deposit? And if so, is the tenant entitled to any statutory compensation as a result of the landlord's failure to comply with the security deposit requirements of the *Act*?

Is the tenant entitled to recover the filing fee for this application from the landlord?

Conclusion

The tenant's application is withdrawn in its entirety, with leave to reapply.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 05, 2018

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Residential Tenancy Branch