



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with an application by the tenant for a monetary order for the return of the security and pet deposits and for the recovery of the filing fee.

The tenant stated that he had served the landlord with the notice of hearing by registered mail to an address provided to him by the landlord. The tenant testified that the package was returned to him as unclaimed. The tenant did not file any proof of service of the hearing package to the landlord. Despite allowing the tenant time to locate a tracking slip, the tenant was unable to provide a tracking number. The landlord did not attend the hearing. Based on the testimony of the tenant, I am not satisfied that the landlord was properly served pursuant to section 88 of the *Residential Tenancy Act*.

In addition, the tenant made an application for the return of the deposits two days after the end of tenancy and did not file any proof of having given the landlord a forwarding address. The tenant also did not file a copy of tenancy agreement or proof of the amount of deposits that he paid to the landlord. Based on the above, I dismiss the tenant's application with leave to reapply.

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: October 26, 2018

Residential Tenancy Branch