



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD FF

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on July 31, 2018 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

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

The Tenant attended the hearing and provided affirmed testimony. The Landlords did not attend the hearing.

The Tenant testified the Application package was served on the Landlords by regular mail on August 2, 2018. Copies of receipts were submitted in support. However, section 89 of the *Act* confirms an application for dispute resolution must be served on a landlord in person or by registered mail. Regular mail is not an approved method of service. As a result, I find that the Landlords were not served with the Application package in accordance with the *Act*. Therefore, the Application is dismissed, with leave to reapply. That is, the Tenant is granted leave to submit a new application for dispute resolution seeking the return of the security deposit and pet damage deposit. This is not an extension of any statutory deadline.

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: December 3, 2018

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Residential Tenancy Branch