



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL-S, FFL

Introduction

On October 30, 2018, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting a Monetary Order for damages, to apply the security deposit and the pet damage deposit to their claim, and to recover the cost of the filing fee. The matter was set for a participatory hearing via conference call.

Preliminary Matters

The Landlords and Tenants attended the hearing and the Landlord immediately requested an adjournment due to not being able to properly upload and serve a complete evidence package. The Landlord stated that a work laptop that contained her Residential Tenancy Branch documents had technical difficulties over the last month and she does not feel prepared to proceed with today’s hearing.

The Tenants stated that they were ready to proceed and did not agree to an adjournment.

Based on the Landlords’ request, I agreed to dismiss the Landlords’ Application and advised them that they could choose to reapply for any monetary claims in the future. As the Landlords were still holding the Tenants’ security and pet damage deposits, I ordered the Landlords to return the Tenants’ deposits within 15 days of receiving this Decision.

Conclusion

I dismiss the Landlords’ Application for Dispute Resolution with leave to reapply for a monetary claim without the option to apply the security deposit or the pet damage deposit. This does not extend any applicable time limits under the Legislation. I have not made any findings of fact or law with respect to the Landlords’ monetary claim.

I order the Landlords to return the security deposit and the pet damage deposit, via registered mail, to the Tenants within 15 days of receiving this Decision. If the Landlords fail to return the deposits within 15 days, they may be at risk of owing double the amount of the deposits to the Tenants.

In the event that the parties decide to reapply for Dispute Resolution, they will be required to resubmit all written evidence, upon which they intend to rely, to each other again. They will also need to place their written evidence on the Residential Tenancy Branch's online Service Portal again.

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: February 25, 2019

Residential Tenancy Branch