



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MNRL - S; MNDCL -S; FFL

### Introduction

This hearing was set to deal with the landlord's application for a Monetary Order for unpaid and/or loss of rent; other damages or loss under the Act, regulations or tenancy agreement; and, authorization to retain the tenants' security deposit.

The landlord's agents appeared for the hearing; however, there was no appearance on part of the tenants.

Since the tenants did not appear, I enquired as to whether the tenants were served with notification of this proceeding.

The property submitted evidence that the hearing documents and evidence were sent to each tenant via registered mail but that both of the registered mail packages were returned as unclaimed. The landlord's agents testified that the tenants vacated the rental unit and have not provided the landlord with a forwarding address in writing.

The property manager requested this application be withdrawn since service upon the tenants was not perfected, with the right to reapply.

In the circumstances before me, I grant the landlord's request and the landlord's claims against the tenants are dismissed with leave to reapply. The landlord is at liberty to make another Application for Dispute Resolution against the tenants within two years of the tenancy ending.

Having heard the tenants have not yet provided a forwarding address to the landlord in writing I make no order for its return to the tenants and the security deposit shall remain in trust, to be administered in accordance with section 38 of 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: January 10, 2020

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Residential Tenancy Branch