



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSDS -DR

This matter was scheduled for a conference call at 11:00 a.m. on this date. The tenant participated in the teleconference, the landlord did not. The tenant originally applied seeking the return of his security deposit through the Direct Request Process. The adjudicator made a decision that the matter required a participatory hearing. In the adjudicator's decision she stated the following:

*"Notices of Reconvened Hearing are enclosed with this interim decision. The applicant must serve the Notice of Reconvened Hearing, the interim decision, and all other required documents, upon the landlord within three (3) days of receiving this decision in accordance with section 89 of the Act."*

I asked the tenant if he had served the Notice of Reconvened Hearing to the landlord to which he advised he had not and was just awaiting this hearing. The tenant was unable to satisfy me that the landlord had been served the Notice of Hearing Documents in accordance with Section 89 of the Act and as a result, I dismiss the tenant's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: May 07, 2020

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Residential Tenancy Branch