



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction and Analysis

This hearing dealt with the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (the Act) for the return of double their security deposit.

The tenant attended the teleconference hearing. The landlord did not attend the hearing. As the landlord did not attend the hearing, service of the Notice of a Dispute Resolution Proceeding dated January 20, 2020 (Notice of Hearing), application and documentary evidence were considered. The tenant was affirmed and confirmed that they did not serve the landlord by registered mail and instead relied on regular mail. Section 89(1) of the Act requires that the application be sent by registered mail and does not provide for regular mail.

Both parties have the right to a fair hearing. The landlord would not be aware of the hearing without having received the Notice of a Dispute Resolution Proceeding and application. Therefore, **I dismiss** the tenant's application **with leave to reapply** as I am not satisfied that the landlord has been sufficiently served with the Notice of Hearing and application in a manner provided for under the Act. I note this decision does not extend any applicable time limits under the Act.

I do not grant the filing fee as a result of the service issue.

Conclusion

The tenant's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

The filing fee is not granted due to a service issue.

This decision will be emailed to the tenant and sent by regular mail to the landlord, as the tenant did not have an email address for the landlord.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: June 10, 2020

Residential Tenancy Branch