



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Code            MNSDB-DR

This matter proceeded by way of an *ex parte* Direct Request Proceeding pursuant to section 38.1 of the *Residential Tenancy Act* and dealt with an Application for Dispute Resolution filed by the Tenant for a monetary order for the return of a security deposit and/or a pet damage deposit.

The Tenant submitted signed Proof of Service Tenant's Notice of Direct Request Proceeding documents which declare that the Tenant served each of the Landlords with a Notice of Direct Request Proceeding on March 25, 2021 using the same email address for each.

Policy Guideline #12 provides direction to parties with respect to service of an application for dispute resolution by email:

*To serve documents by email, the party being served must have provided an email address specifically for the purposes of being served documents. If there is any doubt about whether an email address has been given for the purposes of giving or serving documents, an alternate form of service should be used, or an order for substituted service obtained.*

[Reproduced as written.]

In this case, the Tenant provided Proof of Service Tenant's Notice of Direct Request Proceeding documents. However, on examination of all documents submitted, I find there is insufficient evidence before me to conclude the Landlords provided the email address used specifically for the purpose of being served documents.

As a result, I find that the Tenant's request for a monetary order for the return of a security deposit and/or a pet damage deposit is dismissed with leave to reapply. This is not an extension of any applicable limitation period.

Without making any further findings, I also note that the Landlords named in the application do not correspond with the landlords named in the tenancy agreement, and that the Tenant has not submitted a Tenant's Direct Request Worksheet as required under Policy Guideline #49.

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: April 13, 2021

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Residential Tenancy Branch