



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDCT, MNETC, FFT

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for the return of the security deposit, for monetary compensation for loss or other money owed, for compensation relating to a notice to end the tenancy and to recover the cost of the filing fee.

Only the tenant and the person assisting the tenant appeared. Both gave affirmed testimony. Both under affirmation confirmed they were not making a prohibited recording of this hearing and are complying with the Residential Rules of Procedure 6.11.

As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The tenant testified the Application for Dispute Resolution and Notice of Hearing were sent by email to the landlord on March 14, 2021.

In this case I am not satisfied that the landlord was properly served. The service address for the landlord in the tenancy agreement signed by the parties on November 4 2020, does not list an email address for service of document.

Further, the tenant did not provide a copy of the email, showing the landlord was served with the attached required documents for my review or consideration.

In light of the above, I find I must dismiss the tenant's application with leave to reapply due to lack of service.

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: September 27, 2021

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Residential Tenancy Branch