



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNETC, MNDCT, MNSD, FFT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to obtain a return of all or a portion of her security deposit pursuant to section 38;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

The tenant, V.K. attended the hearing via conference call and provide testimony. The tenant, V.K. attended as agent for S.R. The tenant, V.K. was assisted by her agent, D.I. The landlord did not attend.

At the outset, the tenant with the assistance of her agent stated that the notice of hearing package was not served to the named landlord due to personal health issues.

Pursuant to Section 89 of the Act the applicant is required to serve the respondent with the Notice of Hearing Package and the Application. In this case the tenant failed to serve the landlord with the notice of hearing package. As such, the landlord's application is dismissed 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: September 03, 2021

---

Residential Tenancy Branch