



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

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## **DECISION**

Dispute Codes      MNSD, MNDCT, FFT

### Introduction

This hearing dealt with an application by the tenants under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for the landlord to return the security deposit pursuant to section 38;
- A monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The following tenants attended: JE, MM, MO and EB. They stated they also represented the tenant JS (named in Reference #1 on the first page) who was unable to attend. These five tenants are referred to as "the tenants". The tenant JE primarily spoke on behalf of the tenants.

The tenants stated that a sixth tenant WE (named in Reference #2 on the first page) did not attend and is not represented.

The landlords attended.

The hearing process was explained.

### *Preliminary Issue: Service by Tenants upon Landlords*

The landlords stated they had not been served with the tenants' Notice of Hearing or Application for Dispute Resolution.

The tenants acknowledged they had not served the landlords as required under the Act.

After discussion, the parties agreed as follows:

1. The tenant JE represented the tenants MM, MO, EB and JS (all of whom, as stated above, are referenced as “the tenants”) during the hearing and for purposes of receiving the Decision.
2. One forwarding address for all tenants was provided during the hearing to the landlords as stated in Reference # 3 on the first page.
3. The landlords acknowledged that they are notified of the forwarding address for the tenants effective today, the date of the hearing, pursuant to the Act.
4. The landlords’ address was provided during the hearing to the tenants as stated in Reference #4 on the first page for the purpose of service under the Act by the tenants for their Application for Dispute Resolution including the return of their deposits.
5. This Decision shall be sent to JE on behalf of all tenants at the email address provided during the hearing.
6. This Decision shall be sent to the landlord SJM on behalf of both landlords at the email address provided during the hearing.

No evidence was submitted by either party.

I am not seized of this matter.

This application is dismissed with leave to reapply.

### Conclusion

I Order as follows:

1. In compliance with the Act and as acknowledged by the landlords, the tenants provided a forwarding address for all tenants during the hearing as it appears on the first page of this Decision.
2. In compliance with the Act and as acknowledged by the tenants, the landlords provided their residential address for the tenants during the hearing for service by the tenants under the Act as it appears on the first page of this Decision..
3. This Decision shall be sent only to the tenant JE on behalf of all tenants and the landlord SJM on behalf of both landlords at the email addresses provided by each party during the hearing.
4. The tenants' application is dismissed with leave to reapply except for the request for reimbursement of the filing fee which is dismissed without leave to reapply.

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: November 05, 2021

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Residential Tenancy Branch