



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCL-S

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear an application regarding a residential tenancy dispute. On January 28, 2022 the landlord applied for compensation for monetary loss or other money owed, requesting to retain the security and/or pet damage deposit.

The hearing was attended by the landlords, but not the tenant. The landlords were affirmed and made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

The landlords testified that they did not serve the Notice of Dispute Resolution Proceeding (NDRP) on the tenant.

Rule 3.5 of the [Rules of Procedure](#) states:

### **3.5 Proof of service required at the dispute resolution hearing**

At the hearing, the applicant must be prepared to demonstrate to the satisfaction of the arbitrator that each respondent was served with the Notice of Dispute Proceeding Package and all evidence as required by the Act and these Rules of Procedure.

As the landlords did not serve the NDRP on the tenant as required, and the tenant was not present at the hearing, the landlord's application is dismissed with 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: September 12, 2022

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Residential Tenancy Branch