



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, FFT

On May 25, 2022, the Tenants applied for dispute resolution under the *Residential Tenancy Act* ("the Act") seeking compensation for money owed or damage or loss under the Act, Regulation, or tenancy agreement, and for the return of the security deposit.

The Tenant attended the hearing; however, the Landlords did not.

The Tenants had previously applied to the Residential Tenancy Branch requesting an order of substituted service in order to serve documents using the Landlords' email addresses to serve the Notice of Dispute Resolution Proceeding and their evidence. On June 28, 2022, an adjudicator considered the Tenants' application for substituted service and denied permission for service using email.

The Tenant testified that they recently sent emails to the Landlords providing information to attend the hearing. The Tenant testified that she does not know where the Landlords live and that they may live out of the country. The Tenant stated that she cannot find them in order to serve them.

I find that since the respondents were not served with the Notice of Dispute Resolution Proceeding and evidence in accordance with the Act, they were not given an opportunity to know the case against them and respond. The hearing did not proceed.

The Tenants' application is dismissed in its entirety 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: February 06, 2023

Residential Tenancy Branch