



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Municipal Affairs

DECISION

Dispute Codes Landlord: MND MNSD FF
Tenant: MNSD

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties. The participatory hearing was held, via teleconference, on January 6, 2026.

The Landlord and the Tenant both attended the hearing. All parties provided testimony and were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence submitted in accordance with the rules of procedure, and evidence that is relevant to the issues and findings in this matter are described in this Decision.

Preliminary and Procedural Matters

Both parties were unable to demonstrate that they served their Notice of Dispute Resolution Proceeding to the other party. The Tenants provided a copy of the email they sent to the Landlord, but it did not contain the Notice of Dispute Resolution Proceeding document. Further, the Landlord uploaded a copy of an email they sent but it did not show that the Notice of Dispute Resolution Proceeding was attached to that email.

The Tenants had no idea what the Landlord was seeking because they never got the Notice of Dispute Resolution Proceeding.

I find both parties erred by not providing the other party with their respective Notice of Dispute Resolution Proceeding documents. This is one of the most important

documents, as it puts the other party on notice as to what claims are being sought. As the Notice of Dispute Resolution Proceeding document has not been served by either party, I find both applications are hereby dismissed, with leave to reapply.

Both parties will have to reapply.

Overall, I find I have insufficient evidence showing what was served and when, including with respect to the forwarding address. I hereby order the Tenants to re-serve the Landlord with their forwarding address, in writing, for the return of the security deposit. The Landlord will have 15 days from receipt of it to file an application with the RTB claiming against the deposit, or the Landlord risks breaching section 38(1) of the Act.

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: January 06, 2026

Residential Tenancy Branch