



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

### Dispute Codes:

MNSD, FF

### Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant has made application for a monetary Order for return of the security deposit and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution.

The tenant provided affirmed testimony that copies of the Application for Dispute Resolution and Notice of Hearing were sent to the landlord via regular Canada Post mail. Section 89(1) requires that an application for dispute resolution requesting a monetary order be served to the respondent personally or by registered mail. As the tenant has mailed the application by regular mail these documents are not deemed to have been sufficiently served in accordance with section 89 of the *Act*.

Therefore; this application is dismissed with leave to reapply.

### Conclusion

This 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: December 15, 2009.

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Dispute Resolution Officer