



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction and Preliminary Matters

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking a monetary order for a return of her security deposit, doubled, and for recovery of the filing fee.

The tenant appeared at the hearing; the landlords did not appear.

The tenant testified that she served the landlords with her Application for Dispute Resolution and Notice of Hearing documents (the Hearing Package) by registered mail; however the tenant confirmed that she put both landlord's Hearing Package in the same envelope. The tenant further confirmed that the registered mail was unclaimed.

Analysis and Conclusion

Section 89 (1) of the Residential Tenancy Act requires that an application for dispute resolution be served upon the respondent (the landlords in this case) leaving it with the person, by leaving a copy with the landlord's agent, if the respondent is a landlord, or by registered mail to the address at which the person resides, or if a landlord, where the landlord carries on business as a landlord.

I find that this section of the Act requires that each respondent be served individually with a Hearing Package, and in this case, as the tenant chose registered mail for service of the documents, by separate registered mail envelopes.

Conclusion

As I have found that the tenant failed to submitted sufficient evidence that each respondent was served individually, I dismiss the tenant's application, with leave to reapply.

Dated: June 26, 2013

Residential Tenancy Branch