



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNDC, MNSD, FF

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for a monetary order for the return of double the security deposit and the filing fee. The tenant testified that he served the landlord with the notice of hearing package by registered mail on October 06, 2014, to the dispute rental address and it was returned as unclaimed. The tenant stated that he did not have an address for the landlord. The tenant filed a copy of the tenancy agreement, but it was missing the first page which would have provided details of the contact information for the landlord.

The tenant stated that he had not received the unclaimed package but upon tracking the package on the Canada Post website, it showed that the package was returned to the sender and that the tenant had received and signed for it. Upon explaining the results of the search to the tenant, he said that maybe someone in his family had received the package and signed on his behalf. The tenant also had difficulty explaining his situation and would have benefitted from the services of an interpreter.

Based on the testimony of the tenant, I find that the landlord was not properly served pursuant to section 88 of the *Residential Tenancy Act*.

Conclusion

The tenant'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: May 05, 2015

Residential Tenancy Branch

