



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF MNDCT MNSD

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- a monetary award pursuant to section 67 of the *Act*;
- a return of the security deposit pursuant to section 38 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

Only the tenant Z.O. attended the way by way of conference call which lasted ten minutes.

The tenant provided undisputed testimony that his application for dispute resolution was sent to the landlords by way of regular mail on approximately July 24, 2018.

89(1) An application for dispute resolution...when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;*
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;*
- (c) **by sending a copy by registered mail** to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;*
- (d) as ordered by the director under section 71(1) [director's orders: delivery and service of document]...*

The tenants have not sufficiently demonstrated that they served the landlords with the application for dispute in a manner allowed and required by section 89(1) of the *Act* .

As the tenants were unsuccessful in their application, they must bear the cost of the \$100.00 filing fee.

Conclusion

I dismiss the tenants' application, with leave to reapply.

The tenants must bear the cost of their own filing fee.

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: November 22, 2018

Residential Tenancy Branch