



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **Decision**

**Dispute Codes:** LRE MNSD RPP

## **Introduction**

This application was brought by the tenants seeking return of their security deposit, an order setting conditions on the landlord's right to enter the rental unit and an order that the landlord return the tenant's personal property.

Despite having made the application, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing.

## **Conclusion**

Therefore, the application is dismissed without leave to reapply.

I note that the female tenant appeared at my hearing conducted at 10 a.m. whereas the subject hearing was set for 2 p.m. As the earlier hearing had dealt with unauthorized sub tenancies, it was not immediately obvious that the tenant was at the wrong hearing. However, her name and that of the landlord given at the first hearing are both very distinctive, and there is little doubt that these were the same parties scheduled for 2 p.m.

The tenants should be aware that any determinations made at the 10 a.m. hearing have no effect of them whatsoever as that hearing dealt with a completely different tenancy and address.

The landlord's appearance at the correct time in the present hearing indicates there was no error in the Notice of Hearing.

I further note that this tenancy was the subject of a hearing on September 2, 2008 under files numbered \_\_\_\_ and \_\_\_\_\_ for which the tenants also failed to appear, and their subsequent Application for Review Hearing was dismissed.

In that hearing, the landlord was issued with an Order of Possession to take effect September 4, 2008 and a Monetary Order for unpaid rent.

Dated: October 3, 2008