



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes:

<u>MND</u>	Monetary Order for Damage to the Unit/Site/Property
<u>MNDC</u>	Money Owed or Compensation for Damage or Loss
<u>MNSD</u>	Keep All or Part of the Security Deposit
<u>FF</u>	Recover the Filing Fee for this Application from the Respondent

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for damage or loss and an order to keep the tenant's security deposit in partial satisfaction of the claim.

This application was set to be heard by conference call. The notice of hearing sent to each party required them to join in the conference call at the time of the hearing by calling in to the number provided and entering the participant code identified. This conference call was set for 9:00 a.m. Only the respondent tenant called in. The line was held open for 10 minutes but the applicant failed to appear and the hearing ended at 9:10 a.m. without any testimony being given. Based on the above, I hereby dismiss this application without leave to reapply.

As the tenant's security deposit is still being held in trust by the landlord, and given that the landlord's claim for damages has been dismissed, the security deposit must now be returned to the tenant forthwith pursuant to provisions contained in section 38 of the Act.

May 2009

Date of Decision

Dispute Resolution Officer