

## **DECISION**

Dispute Codes      MNSD MNDC FF O

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a Monetary Order for money owed or compensation for damage and loss, to keep all of the security deposit, and to recover the filing fee from the tenant.

No one was in attendance for either the landlord or the tenant.

### Issue(s) to be Decided

Is the landlord entitled to a Monetary Order pursuant to Sections 38, 67, and 72 of the *Residential Tenancy Act*?

### Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

### Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. In the absence of the applicant landlord, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant landlord called into the hearing during this time. Based on the aforementioned I find that the landlord has failed to present the merits of his application and the application was dismissed at 9:40 a.m.

Conclusion

I HEREBY DISMISS the landlord's application for a Monetary Order, without 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: June 12, 2009.

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Dispute Resolution Officer