



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD, FF

This hearing was scheduled for 1:30 p.m. to hear the tenant's application for a Monetary Order for return of the security deposit and compensation for damage or loss under the Act, regulation or tenancy agreement. The tenant's advocate appeared at the hearing; however, the tenant did not appear at the hearing by 1:40 p.m. The landlord appeared at the hearing and was prepared to proceed with this matter. The advocate expected the tenant to be present at the hearing and did not wish to proceed in the tenant's absence. I dismissed this application without leave to reapply.

The parties were informed of the tenant's right to make an application for review if the tenant could not appear at this hearing due to unforeseen circumstances that were beyond the tenant's control. As information for the parties, section 79 of the Act provides the criteria for requesting a review and section 80 of the Act provides for time limits in making a review application.

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 17, 2009.

Dispute Resolution Officer