DECISION

Dispute Codes: MNSD, FF

Introduction

This is the Landlord's application to keep part of the security deposit paid by the Tenant for damages to the rental unit; and to recover the cost of the filing fee from the Tenant.

Preliminary Matters

This matter was scheduled to be heard, by way of telephone conference, at 1:30 p.m. on February 3, 2010. The Tenant signed into the conference and was ready to proceed with the Hearing. By 1:40 p.m., the Landlord had still not signed into the conference.

Therefore, the Landlord's application is dismissed in its entirety.

Having dismissed the Landlord's application against the security deposit, I order the Landlord to return the security deposit, together with accrued interest, to the Tenant forthwith. The Landlord's documentary evidence indicates that a security deposit in the amount of $400.00 was paid on August 1, 2007, and that no amounts have previously been deducted from the security deposit. Interest in the amount of $8.84 has accrued on the security deposit.

Conclusion

The Landlord's application is dismissed.

I hereby grant the Tenant a monetary order in the amount of $408.84 against the Landlord. This order must be served on the Landlord and may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an order of that Court.

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.*

February 9, 2010

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Date of Decision