

## **DECISION**

Dispute Codes      MNSD, FF

### **Introduction**

Pursuant to the *Act* and amendments thereto I was designated to hear this matter under section 58. This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- authorization to obtain a return of double the security deposit pursuant to section 38; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

While the Respondent attended the hearing by way of a conference call, the Applicant did not. I waited 12 minutes past the scheduled time for this conference call hearing to enable the Applicant, the tenant, to participate.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 Commencement of the dispute resolution proceeding** The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

**In the absence of any evidence or submissions from the Applicant, the Applicant has not met the burden of proof required to issue a monetary Order in his favour. I order the application dismissed without liberty to reapply.**