

## **DECISION**

Dispute Codes      MNDC, MNSD, FF

### **Introduction**

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*) and amendments thereto I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- authorization to obtain a return of double his security deposit pursuant to section 38; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 9:10 a.m. to enable them to participate in this hearing.

Rule 10.1 of the Rules of Procedure provides as follows:

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

Accordingly, **in the absence of any evidence or submissions I order the application dismissed with liberty to reapply.** I make no findings on the merits of the matter.

Liberty to reapply is not an extension of any applicable limitation period.