



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD, FF

This hearing dealt with the Landlord's Application for Dispute Resolution seeking a monetary order for alleged damage to the rental unit, for money owed or compensation under the Act or tenancy agreement, to retain the security deposit in partial satisfaction of the claim and to recover the filing fee for the Application.

This hearing was set for telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. Therefore, as the Applicant did not attend the hearing by 11:10, I dismiss the claim without leave to reapply.

Since the Landlord has not established any authority under the Act to retain the security deposit, I must order the Landlord to return the security deposit to the Tenant immediately.

Pursuant to the Act and policy guidelines, I grant and issue the Tenant a monetary order in the amount of **\$365.00** for the return of the security deposit. This order must be served on the Landlord and may be enforced in the Provincial Court of British Columbia.

This decision is final and binding on the parties, except as provided under the Act, and 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: April 18, 2012.

Residential Tenancy Branch