



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

Pursuant to section 58 of the *Residential Tenancy Act*. (the *Act*), I was designated to hear this matter. This hearing dealt with the tenant's application pursuant to section 38 of the *Act* for authorization to obtain a return of all or a portion of the security deposit for this tenancy.

While the Respondent attended the hearing by way of conference call, the Applicant did not, although I waited until 9:43 a.m. in order to enable the Applicant to connect with this teleconference hearing scheduled for 9:30 a.m.

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 Arbitrator. The Arbitrator 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 the applicant's participation in this hearing and as this tenancy continues, I order the application dismissed with leave to reapply once this tenancy ends.

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: December 17, 2012

Residential Tenancy Branch