



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for return of the security deposit, and the filing fee for the claim.

Preliminary issue

In this case, the landlords filed their evidence on March 22, 2013. The tenant did not receive a copy of the evidence submitted.

The landlord stated the tenant is fully aware of the contents of text messages as they were conversations between the parties. The landlord stated the text messages are relevant to dispute the tenant's claim, as the tenant had extinguished her right to the return of the security deposit as she failed to participate in the scheduled move-out condition inspection.

In this case, I have reviewed the evidence. I find the evidence of the text messages between the parties relevant and I have allowed the evidence to be submitted for this hearing.

The tenant was given the opportunity to have this matter adjourned to allow her a fair opportunity to review the text messages and submit any evidence to the contrary that she may have. The tenant refused the adjournment.

The tenant stated she has no evidence and chose to exit the conference call hearing.

As this was the tenant's application and the tenant provided no evidence to support her claim and the landlord was ready to proceed. I find the tenant's application must be dismissed without leave to reapply.

Conclusion

The tenant's application is dismissed without leave to reapply.

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: April 10, 2013

Residential Tenancy Branch

