



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Gateway Property Management Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MNR; MNSD; FF

Introduction and Analysis

This Hearing was scheduled to hear the Landlord's application for a monetary award for unpaid rent; to apply the security deposit towards its monetary award; and to recover the cost of the filing fee from the Tenant.

This application was scheduled to be heard via teleconference on June 13, 2013, at 9:30 a.m. The Tenant signed into the conference and was ready to proceed, however by 9:40 a.m., the Landlord had not yet signed into the teleconference.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of Hearing The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator 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.

I find that that the Landlord has abandoned its application, and therefore I dismiss the Landlord's application without leave to re-apply.

The Tenant testified that he attended at the condition inspection and that the Landlord also sought to keep the security deposit for cleaning, damages and painting. He disputed the Landlord's claim in its entirety. The Tenant paid a security deposit in the amount of \$467.50 on December 24, 2012.

The Landlord's application has been dismissed and I find that the Tenant did not extinguish his right to return of the security deposit. I order that the Landlord return the security deposit to the Tenant.

Conclusion

The Landlord's application is dismissed **without leave to re-apply**.

I hereby provide the Tenant with a Monetary Order against the Landlord in the amount of **\$467.50**, representing return of the security deposit.

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: June 17, 2013

Residential Tenancy Branch