



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, FF, O

Introduction

This matter dealt with an application by the Landlord for monetary compensation for loss or damage under the Act, regulations or tenancy agreement, to retain the Tenants' security deposit, to recovery of the filing fee for this proceeding and for other considerations.

The hearing started at 1:30 p.m. as scheduled, however by 1:45 p.m. neither the Tenants nor the Landlord had dialled into the conference call. In the absence of any testimony and corroborated evidence from the Landlord to support the application, the application could be dismissed with leave to reapply.

On further review of the written evidence the Landlord's Agent has submitted a request for an adjournment with an accompanying email from the Tenants' Agent agreeing to the adjournment. The adjournment is requested to allow time to receive an appeal decision on this matter from the Supreme Court of British Columbia. I will accept that the parties have agreed to an adjournment of the hearing pursuant to rule 6 of the Residential Tenancy Branch Rules of Procedure. I adjourn the hearing for the first available Arbitrator in February, 2014. New Notices of Hearing will be sent out to the Landlord Agent and the Landlord's Agent is responsible to serve the Tenants as required by the Act.

Conclusion

The Landlord's application is adjourned until February, 2014.

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 09, 2013

Residential Tenancy Branch

