



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SUTTON GROUP- PROACT REALTY  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      MNSD, FF

### Introduction

This matter was set for hearing by telephone conference call at 9:00 am, in response to an Application for Dispute Resolution made by the Landlord to keep the Tenant's security and pet damage deposit and to recover the filing fee. The telephone line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time.

### Analysis & Conclusion

Rule 10.1 of the Dispute Resolution Proceedings Rules of Procedure states that 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.

As neither party called into the hearing by 9:10 am, I find that the Landlord has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the Act and I have made no findings of fact or law with respect to the merits of this Application.

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: September 30, 2014

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Residential Tenancy Branch

