



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      RPP

### Introduction

This hearing was set for a telephone conference call at 11:00 am in response to an Application for Dispute Resolution (the "Application") made by the Tenants for the return of their personal property.

The line remained open while the phone system was monitored for 15 minutes and the only participants who called into the hearing were the Landlord and the property manager.

### 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 the Tenants did not appear by 11:15 a.m., and the Landlord appeared and was ready to proceed, I dismiss the Tenants' Application **without** leave to reapply. This file is now closed.

However, I caution the parties in regards to provisions of the Act relating to the return of the Tenants' security deposit pursuant to Section 38 of the Act. The parties must also note that providing the Landlord with a forwarding address for the return of a security deposit in an Application is not sufficient to put the Landlord on notice of a forwarding address in writing.

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 23, 2014

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Residential Tenancy Branch

