



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDC, FF

### Introduction

This matter dealt with an Application made by the Landlord to claim against the security deposit and for alleged damages to the rental unit.

I note the security deposit was dealt with in an earlier hearing before a different Arbitrator, and therefore, the issue of the security deposit has already been determined and is therefore *res judicata*. The file number for that matter is reproduced on the front page of this decision for ease of reference. The Landlord did not appear at the hearing to support her allegation that the rental unit was not left clean by the Tenant.

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent.

### Analysis and Conclusion

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.

As the Applicant did not attend the hearing by 11:10 a.m., and the Respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: September 08, 2014

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Residential Tenancy Branch

