



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD, FF

### Introduction

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The Applicant Landlord was claiming the Respondent Tenant owed him for one month of rent and the Landlord was claiming against the security deposit, wanted an order for the balance due and requested the filing fee for the Application.

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 Tenant.

The Respondent Tenant informed me that he had already informed the Landlord he could keep the security deposit.

### 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.

The Landlord may keep the security deposit as agreed to by the Tenant.

This decision is final and binding on the parties, except as 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 *Residential Tenancy Act*.

Dated: October 27, 2014

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Residential Tenancy Branch

