



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding KELSON GROUP  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

This hearing was convened upon the application of the tenant seeking return of his security deposit and to recover his filing fee.

While the respondent attended the hearing by way of conference call, the applicant did not, although I waited until 1112 in order to enable the applicant to connect with this teleconference hearing scheduled for 1100. At the hearing, the landlord provided sworn evidence that the tenant had provided written permission for the landlord to retain the security deposit in partial satisfaction of the tenant's rent and cleaning obligations in respect of the tenancy. I was provided, as evidence, with this document by the landlord.

Rule 10.1 of the *Rules of Procedure* provides that:

**10.1 Commencement of the 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.

Accordingly, in the absence of any evidence or submissions from the applicant and in the absence of the applicant's participation in this hearing, I order the application dismissed without liberty to reapply.

### Conclusion

The application is dismissed without liberty to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the *Residential Tenancy Act*.

Dated: November 04, 2014

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Residential Tenancy Branch

