



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MND, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlords filed under the Residential Tenancy Act, (the “Act”), for a monetary order for damages to the unit, for an order to retain the security deposit in partial satisfaction of the claim and to recover the cost of the filing fee.

On May 19, 2015, this matter was adjourned to give the landlords the opportunity to submit photographic evidence as their digital evidence was not viewable by the Arbitrator. The interim decision issued on May 21, 2015, should be read in conjunction with this decision.

On May 22, 2015, the landlord complied with the interim decision as their photographic evidence was submitted as required.

This matter was set to continue on today's date, July 9, 2015, by telephone conference call at 9:30 A.M. 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 tenants. Therefore, as the landlords did not attend the hearing by 9:40 A.M, and the tenants appeared and were ready to proceed, I dismiss the landlords' claim without leave to reapply.

Under Residential Tenancy Policy Guideline 17, the Arbitrator will order the return of a security deposit, or any balance remaining on the deposit, less any deductions permitted under the Act.

As I have dismissed the landlords' application to retain the security deposit, I find the landlords must return to the tenants their security deposit in the amount of \$600.00.

Should the landlords fail to comply with my order, I grant the tenants a monetary order in the amount of **\$600.00**. This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

Conclusion

The landlords did not attend the reconvene hearing. The landlords' application is dismissed without leave to reapply.

The tenants were granted a monetary order in the above amount for the return of their security deposit.

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: July 09, 2015

Residential Tenancy Branch

