



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pinnacle International Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MNSD; FF

Introduction and Analysis

This Hearing was scheduled to hear the Landlord's Application for Dispute Resolution seeking to keep \$750.00 of the security deposit to pay for damages to the rental unit; and to recover the cost of the filing fee from the Tenant.

This Application was scheduled to be heard via teleconference on September 18, 2015, at 1:30 p.m. The Tenant signed into the conference and was ready to proceed, however by 1:40 p.m., the Landlord had not yet signed into the teleconference.

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.

I find that that the Landlord has abandoned its Application, and therefore I dismissed the Landlord's Application without leave to re-apply.

The Tenant gave affirmed testimony with respect to the security deposit. He stated that the Landlord had returned a portion of the security deposit to the Tenant, but that the Landlord was still holding \$750.00. The Tenant seeks return of the balance of the security deposit.

I have dismissed the Landlord's Application and therefore, I ORDER that the Landlord return the balance of the security deposit forthwith to the Tenant. The Tenant is hereby provided with a Monetary Order in the amount of \$750.00.

Conclusion

The Landlord's application is dismissed **without leave to re-apply**.

I hereby provide the Tenant with a Monetary Order in the amount of **\$750.00** for service upon the Landlord. This Order may be filed in the Provincial Court of British Columbia (Small Claims Court) and enforced as an Order of that Court.

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 18, 2015

Residential Tenancy Branch

