



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

The matter was set for a hearing at 1.30 p.m. on this date to hear the tenant's application for a Monetary Order to recover the security deposit. The hearing went ahead as scheduled; the landlord dialed into the conference call and was ready to proceed. The line remained open for 10 minutes; however, no one for the tenant dialed into the call.

The landlord stated that this matter had already been heard on May 27, 2015 when the landlord had filed an application to keep the security deposit. The landlord's application was successful and the landlord was ordered to retain the full security deposit of \$375.00.

Based on the above I find that the tenant has failed to present the merits of their application. Furthermore if the matter of the security deposit has already been dealt with then the principal of Res Jucatia applies and the tenant's application could not have been heard today as the matter was previously dealt with. The application is dismissed without leave to reapply.

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: October 21, 2015

Residential Tenancy Branch

