



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPREIT
DECISION

Dispute Codes MNSD, FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("Act"), I was designated to hear this matter. This hearing dealt with the landlord's application for:

- authorization to retain a portion of the tenants' security deposit in full satisfaction of the monetary order requested, pursuant to section 38; and
- authorization to recover the filing fee for this application, pursuant to section 72.

While the respondent tenant, RA ("tenant") attended the hearing by way of conference call, the applicant landlord did not, although I waited until 2:16 p.m. in order to enable the landlord to connect with this teleconference hearing scheduled for 2:00 p.m. The tenant confirmed that he had authority to represent the other tenant named in this application, "tenant QA," as an agent at this hearing.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the dispute resolution proceeding: The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

As advised to the tenant, in the absence of the landlord's participation in this hearing, I order the landlord's entire application 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 16, 2015

Residential Tenancy Branch

