



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PLAN A REAL ESTATE SERVICES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the Director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. The tenant joined the conference call at 1.30 p.m.. In the absence of the landlord, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the landlord called into the hearing during this time. Based on the aforementioned I find that the landlord has failed to present the merits of their application and the application is dismissed without leave to reapply.

At the hearing the tenant stated that a forwarding address was provided to the landlord on June 04, 2015 for the landlord to return the tenant's security deposit of \$675.00 and pet deposit of \$350.00. This was confirmed in the landlord's documentary evidence provided for this hearing along with an email from the landlord acknowledging receipt of the tenant's forwarding address on June 05, 2015.

The tenant orally requested that her security deposit and pet deposit are returned to her. The landlord did not attend the hearing and their application has been dismissed without leave to reapply, consequently, I Order the landlord to return the security and pet deposit to the tenant to an amount of \$1,025.00. The tenant stated that she will be

moving again shortly and will provide a new forwarding address to the landlord so they may return her deposits.

### Conclusion

I find the tenant is entitled to a Monetary Order to the amount of **\$1,025.00**. A copy of the tenant's decision will be accompanied by a Monetary Order for this amount pursuant to s. 38(6)(b) of the *Act*. The Order must be served on the landlord. Should the landlord fail to comply with the Order, the Order may be enforced through the Provincial (Small Claims) Court of British Columbia 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: November 30, 2015

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Residential Tenancy Branch

