



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (“the *Act*”), I was designated to hear this matter. This hearing dealt with the tenant’s application for authorization to obtain a return of all or a portion of her security deposit pursuant to section 38 and authorization to recover the filing fee for this application from the landlords pursuant to section 72 as well as an “other” remedy or compensation under the *Act*.

The tenant did not attend although the 11:00 am teleconference continued until 11:16 am. The landlord was present. With respect to the tenant’s failure to attend this hearing, Rule 10.1 of the Rules of Procedure provides as follows:

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.

In the absence of the tenant’s participation in this hearing to support her application, I **order the tenant’s application dismissed without liberty to reapply.**

Conclusion

I dismiss the tenant’s application 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: December 30, 2015

Residential Tenancy Branch

