



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for unpaid rent, for damages to the unit, for an order to retain the security deposit in partial satisfaction of the claim and to recover the filing fee.

This matter was set for hearing by telephone conference call at 2:30 P.M on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time were the Tenants. Therefore, as the Applicant did not attend the hearing by 2:40 P.M, and the Respondents appeared and were ready to proceed, I dismiss the landlord's application without leave to reapply.

As the landlord's application for an order to retain the security deposit has been dismissed. I find it appropriate to order that the landlord immediately return to the tenants their security deposit of \$412.00 plus interest of \$18.87.

Therefore, I grant the tenants a monetary order in the total amount of **\$430.87**. This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court. The **landlord is cautioned** that costs of such enforcement are recoverable from the landlord.

Conclusion

The landlord's application is dismissed. The tenants are granted a monetary order for the return of their security deposit, plus interest.

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: April 18, 2016

Residential Tenancy Branch