



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order to retain the security deposit - Section 38; and
2. An Order to recover the filing fee for this application - Section 72.

The matter was set for a conference call hearing to start at 2:30 p.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Tenant who was ready to proceed. The Landlord failed to attend to present its claim. In the absence of the Landlord who made the application, I dismiss the Landlord’s application without leave to reapply.

The Tenant stated that the Landlord has not returned the combined security and deposit of \$1,975 that was collected at the outset of the tenancy that started on March 1, 2014. As the Landlord’s application to retain the security deposit has been dismissed, I find that the Tenant is entitled to its return. No interest has accumulated on the security and pet deposit. I therefore grant the Tenant an order under Section 67 of the Act for **\$1,975.00**. If necessary, this order may be filed in the Small Claims Court and enforced 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: May 03, 2016

Residential Tenancy Branch