



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD FF

Introduction

This reconvened hearing was scheduled to address the tenant's application pursuant to the *Residential Tenancy Act* ("the *Act*") for a monetary order for the return of her security deposit pursuant to section 38 and authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Despite a previous hearing date where both parties attended and the matter was adjourned with a Notice of Hearing sent to each party for this reconvened hearing date, neither party attended at the appointed time set for the hearing. Rule 10.1 of the Rules of Procedure regarding the commencement of a hearing provides as follows:

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

Accordingly, **in the absence of any evidence or submissions, I order the application dismissed without liberty to reapply.**

Conclusion

I dismiss the tenant's application without liberty 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: May 27, 2016

Residential Tenancy Branch