



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD MNDC FF

### Introduction

Pursuant to the the *Residential Tenancy Act* (“the *Act*”), this reconvened hearing was scheduled to address an application by the tenants for the return of their security deposit pursuant to section 38; as well as a monetary order pursuant to section 67; and to recover the filing fee from the landlord for the cost of this application pursuant to section 72.

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.** I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

Conclusion: I dismiss the tenants’ application in its entirety 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: August 22, 2016

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Residential Tenancy Branch