



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution filed May 26, 2016 wherein the Tenants sought return of their security deposit and recover of the filing fee. By amendment filed June 7, 2016 the Tenants sought return of double their deposit.

This hearing was scheduled for 1:30 p.m. on this date. Only the Landlord called into the hearing. The phone lines were monitored for 11 minutes and the Tenants failed to call into the hearing.

Analysis and Conclusion

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of Hearing:

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

Rule 7.3 provides as follows:

Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Applicants did not attend the hearing by 1:41 p.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenants' claim without leave to reapply. The Landlord is hereby authorized to retain the Tenants' security deposit.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: November 22, 2016

Residential Tenancy Branch