



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, MNSD, FF

Introduction

This hearing was scheduled for 1:30 p.m. on this date, via teleconference call, to hear the landlord's application for a Monetary Order for unpaid rent; damage to the rental unit; and authorization to retain the tenants' security deposit. The tenants were present at the commencement of the hearing; however, the landlord did not appear for the hearing despite leaving the teleconference call open for at least 10 more minutes.

The tenants confirmed that the landlord had served each of them with her Application for Dispute Resolution via registered mail sent to them at their forwarding address. The tenants were prepared to respond to the claims against them but since the landlord failed to appear and present her case I dismissed her application without leave to reapply.

The tenants confirmed that the landlord has not yet returned their security deposit of \$550.00. I confirmed that amount to be accurate by way of the documentary evidence submitted by the landlord.

In keeping with Residential Tenancy Policy Guideline 17: *Security Deposits and Set-Off*, having dismissed the landlord's claims against the tenants, I order the landlord to return the security deposit to the tenants without further delay. The tenants are provided a Monetary Order in the amount of \$550.00 to ensure payment is made.

Conclusion

The landlord's application has been dismissed without leave to reapply.

The landlord has been ordered to return the \$550.00 security deposit to the tenants without further delay. The tenants have been provided a Monetary Order in the amount of \$550.00 with their copy of this decision to serve and enforce if necessary.

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: February 15, 2017

Residential Tenancy Branch