



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LOW TIDE PROPERTIES LTD. C/O HUNTER MCLEOD REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNSD FF

This hearing dealt with the Landlord's Application for Dispute Resolution, dated September 2, 2016 (the "Application"). The Landlord applied for the following relief pursuant to the *Residential Tenancy Act*:

- a monetary order for damage to the unit, site or property;
- an order permitting the Landlord to retain all or part of the security deposit or pet damage deposit in partial satisfaction of the Landlord's claim;
- an order granting recovery of the filing fee.

This matter was set for hearing by telephone conference call at 1:30 P.M. (Pacific Time) on March 6, 2017. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent. Therefore, as the Applicant did not attend the hearing by 1:40 P.M., and the Respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

Pursuant to Residential Tenancy Branch Policy Guideline #17(C)(1), I order the Landlord to return the security and pet damage deposits being held pending the outcome of this hearing to the Tenant immediately; these deposits total \$2,175.00. In support of this order, I grant the Tenant a monetary order in the amount of \$2,175.00. This order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: March 6, 2017

Residential Tenancy Branch