



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

Introduction

This matter convened as a result of a Tenant's Application for Dispute Resolution filed September 19, 2016 wherein she sought monetary compensation from the Landlord. By Amendment to an Application for Dispute Resolution filed March 1, 2017 the Tenant increased her monetary claim from \$500.0 to \$800.00 as she also indicated she sought return of her \$300.00 security deposit.

The hearing was set for hearing by telephone conference call at 1:30 p.m. on this date. 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 Landlord.

The Landlord stated that the Tenant vacated the rental unit on September 29, 2016. She further stated that the Tenant failed to clean the carpets in the rental unit and agreed that the Landlord could retain the security deposit towards the cost of cleaning the carpets; the Landlord claimed the Tenant confirmed this in writing.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

Commencement of Hearing:

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

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 Applicant did not call into the hearing and the Respondent Landlord called into the hearing and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

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: March 16, 2017

Residential Tenancy Branch