



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL OPM MND

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order of possession for landlord's use of property pursuant to section 55;
- an order of possession based on a mutual agreement to end tenancy pursuant to section 55;
- a monetary order for damage to the rental unit pursuant to section 67;

While the respondent attended the hearing by way of conference call, the applicant did not, although I waited until 11:12 a.m. in order to enable the applicant to connect with this teleconference hearing scheduled for 11:00 a.m.

Accordingly, in the absence of the applicant's participation in this hearing, I order the application dismissed in its entirety without leave to reapply.

The respondent requested an order with respect to the return of the security deposit; however, as the landlord did not specifically make an application to retain the security deposit, I cannot address this request in this application. Although the landlord made reference to the security deposit in the details section of the application, I find the reference was made with respect to the landlord's claim for damages. The tenant is at liberty to make her own application for return of the security deposit after providing a forwarding address in writing to the landlord.

Conclusion

The application is dismissed without liberty 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: April 20, 2017

Residential Tenancy Branch

