



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MNR, MNSD, FF

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for a monetary Order for money owed or compensation for damage or loss, for a monetary Order for unpaid rent, to keep all or part of the security deposit, and to recover the fee for filing this Application for Dispute Resolution.

Issue(s) to be Decided

Is the Landlord entitled to compensation for unpaid rent, mediation costs, and mailing costs?

Should the Landlord be permitted to keep all or part of the Tenant's \$400.00 security deposit?

Background and Evidence

The hearing was scheduled for 1:30 p.m. on July 24, 2017. I dialed into the teleconference at 1:31 p.m. and the Tenant dialed into the teleconference at 1:28 p.m. By the time the teleconference was terminated at 1:42 p.m., the Landlord had not appeared.

The service address for the Tenant on the Application for Dispute Resolution was provided to the Landlord via text message on February 09, 2017.

Analysis

I find that the Landlord failed to diligently pursue the application and I therefore dismiss the application without leave to reapply.

As the Landlord has failed to establish a right to the security deposit, I find that she must return the security deposit of \$400.00.

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*.

Conclusion

I grant the Tenant a monetary Order for \$400.00, which represents the return of his security deposit. In the event the Landlord does not voluntarily comply with this Order, it may be served on the Landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 25, 2017

Residential Tenancy Branch