



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF MND MNSD OPL

Introduction

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

- a Monetary Order pursuant to section 67 of the Act;
- an Order allowing the landlord to keep all or part of the security deposit pursuant to section 38;
- an Order of Possession based on landlord's use of property pursuant to section 55; and
- a return of the filing fee pursuant to section 72 of the Act.

Analysis

While the respondent, tenant attended the hearing by way of conference call, the Applicant landlord did not, although I waited until 1:40 P.M. in order to enable the Applicant to connect with this teleconference hearing scheduled for 1:30 P.M.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the dispute resolution proceeding - The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Conclusion

In the absence of the landlord's participation in this hearing, I order the application 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: August 8, 2017

Residential Tenancy Branch