



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