



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD FF

This hearing dealt with the Landlords' Application for Dispute Resolution, received at the Residential Tenancy Branch on March 15, 2017 (the "Application"). The Landlords applied for the following relief pursuant to the *Residential Tenancy Act*:

- an order that the Landlords be permitted to retain all or part of the pet damage deposit or security deposit; and
- an order granting recovery of the filing fee.

This matter was set for hearing by telephone conference call at 1:30 P.M. (Pacific Time) on August 15, 2017. The line remained open while the phone system was monitored for ten minutes and the only participants who called into the hearing during this time were the Respondents. Therefore, as the Applicants did not attend the hearing by 1:40 P.M., and the Respondents appeared and were ready to proceed, I dismiss the claim without leave to reapply.

The Respondents attended the hearing in person and were assisted by E.R., an advocate. E.R. confirmed the Respondents paid a security deposit of \$600.00 and a pet damage deposit of \$600.00, which the Applicants hold. The amount of the deposits was further confirmed in the tenancy agreement, a copy of which was submitted with the Landlords' documentary evidence.

As the Landlords' claim to retain the deposits has been dismissed, and pursuant to Policy Guideline #17, I order the Landlords to return the security deposit and pet damage deposit to the Tenants within 15 days after the date of this Decision. In support, the Tenants are granted a monetary order in the amount of \$1,200.00, which may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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 16, 2017

Residential Tenancy Branch