



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This matter was set for hearing by telephone conference call at 1:00 p.m., in response to the Tenant's Application for Dispute Resolution (the "Application") for: a Monetary Order for the return of the security deposit; for monetary compensation; and to recover the filing fee. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing was the Landlord. The Landlord submitted that the parties had come to a mutual agreement in relation to their dispute and submitted documentation into evidence of that agreement.

Analysis & Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a hearing, the Arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the Application, with or without leave to re-apply.

As the Tenant did not appear by 1:10 p.m., and the Landlord appeared and provided evidence that this dispute had been resolved, I dismissed the Tenant's Application **without** leave to reapply. However, this does not extend any applicable time limits under the *Residential Tenancy Act* (the "Act") and I made no findings of fact or law with respect to the merits of this Application. 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: October 26, 2017

Residential Tenancy Branch