



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF MNDC MNR MNSD OPR

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 to keep all or part of the security deposit to apply against the monetary claim pursuant to section 38 of the *Act*;
- an Order of Possession for unpaid rent pursuant to section 55 of the *Act*; and
- an application to recover the filing fee from the tenant pursuant to section 72 of the *Act*.

Analysis

While the Respondent attended the hearing by way of conference call, the Applicant did not, although I waited until 9:10 A.M. in order to enable the Applicant to connect with this teleconference hearing scheduled for 9:00 A.M.

Rule 7.1 of the Rules of Procedure provides as follows:

7.1 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.

In the absence of testimony, evidence and participation in the hearing on behalf of the applicant, the landlord's application for an Order of Possession, to retain the security deposit, for a Monetary Order, and for a return of the filing fee is dismissed without leave to reapply.

Conclusion

All aspect of the landlord's application are dismissed. This tenancy shall continue until it is ended in accordance with the *Act*.

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: October 30, 2017

Residential Tenancy Branch