



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDC, O

### Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution wherein she sought monetary compensation from the Landlord, return of her security deposit and other unspecified relief.

The hearing was scheduled by teleconference at 3:00 p.m. on February 6, 2018. The only person who called into the hearing was the respondent Landlord. He confirmed that he returned the Tenant's security deposit by way of bank draft on September 29, 2017.

I waited until 14 minutes past the start of the scheduled hearing time in order to enable both parties to connect with this teleconference hearing. The line was monitored until 3:14 p.m. and during that time the Tenant applicant did not call into the hearing.

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* reads as follows:

#### **7.1 Commencement of the dispute resolution hearing**

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

#### **7.2 Delay in the start of a hearing**

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

### **7.3 Consequences of not attending the hearing**

If a party or their agent fails to attend the 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.

### **7.4 Evidence must be presented**

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As the Tenant did not call into the hearing by 3:14, and the Respondent Landlord appeared and was ready to proceed, **I dismiss the Tenant's claim without leave to reapply.**

This Decision is final and binding on the parties, except as otherwise provided under the Act, and 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: February 6, 2018

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Residential Tenancy Branch