



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, MNSD, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) filed by the Tenant under the *Residential Tenancy Act* (the “Act”), seeking the return of double his security deposit and recovery of the \$100.00 filing fee.

The hearing was convened by telephone conference call and was attended by the Landlord, who attended on time and ready to proceed. The Tenant did not attend. The Landlord was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all evidence and testimony before me that was accepted for consideration in this matter in accordance with the Residential Tenancy Branch Rules of Procedure (the “Rules of Procedure”). However, I refer only to the relevant facts and issues in this decision.

At the request of the Landlord, a copy of the Decision will be e-mailed to him at the e-mail address provided in the hearing.

Issue(s) to be Decided

Is the Tenant entitled to a Monetary Order for the recovery of the filing fee and double the security deposit and pet damage deposit pursuant to sections 67 and 72 of the *Act*?

Background and Evidence

The Tenant applied for the return of double his security deposit and recovery of the \$100.00 filing fee; however, they did not appear at the hearing of their own Application to provide any evidence or testimony for my consideration.

Analysis

Section 7.1 of the Rules of Procedure states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. As the Respondent and the arbitrator attended the scheduled hearing on time and ready to proceed, the hearing commenced as scheduled.

Section 7.3 and 7.4 of the Rules of Procedure state that evidence must be presented in the hearing by the party that submitted it, or their agent, and that an arbitrator may conduct the dispute resolution hearing in the absence of a party who fails to attend the hearing or dismiss the application with or without leave to reapply. As the Tenant, who is the Applicant, failed to attend the hearing of their own Application to present any evidence or testimony for my consideration, I therefore dismiss their Application without leave to reapply.

As the Tenant's Application is dismissed, I decline to grant recovery of the filing fee.

Conclusion

The Tenant's Application is dismissed without leave 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: April 25, 2018

Residential Tenancy Branch