



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MNSD FF

### Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- authorization to obtain a return of all or a portion of the security deposit pursuant to section 38;
- authorization to recover the filing fee for this application pursuant to section 72.

While the respondent attended the hearing by way of conference call, the applicant did not, although I waited until 1:42 p.m. in order to enable the applicant to connect with this teleconference hearing scheduled for 1:30 p.m. As this was the tenants' application, they would have had notice of the hearing date, time and call in instructions.

A third party did briefly call into the conference call but it was a landlord incorrectly calling in for a separate application scheduled on a different day.

Accordingly, in the absence of the applicant's participation in this hearing, I order the application dismissed without leave to reapply.

### Conclusion

The 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: June 19, 2018

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Residential Tenancy Branch