



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDL-S, FFL

### Introduction

This teleconference hearing was scheduled in response to an application by the Landlord under the *Residential Tenancy Act* for a Monetary Order for damages claimed against the security deposit and for the recovery of the filing fee paid for this application.

One of the Tenants called into the teleconference hearing, while no one called in for the Landlord during the approximately 14 minutes that the phone line remained open.

The Tenant stated at the outset of the hearing that they did not receive the Notice of Dispute Resolution Proceeding package or copies of the Landlord's evidence. The Tenant was notified of the hearing while speaking with the Residential Tenancy Branch and was provided with the call-in codes at that time.

### Issues to be Decided

Is the Landlord entitled to a Monetary Order for damages?

Is the Landlord entitled to retain the security deposit towards compensation owed?

### Background and Evidence

Rule 7.1 of the Rules of Procedure state that the hearing commences at the scheduled time, unless otherwise determined by the Arbitrator. Rule 7.3 of the Rules of Procedure state that in the absence of a party, the hearing may be conducted in their absence or the dispute dismissed, with or without leave to reapply.

The teleconference hearing was scheduled for 1:30 pm on June 19, 2018. I called into the hearing at 1:30 pm and the phone line was monitored until 1:44 pm. The Tenant was the only party present on the call during this time.

As this was the Landlord's application to claim for damages, the hearing was not able to continue in the absence of the applicant. The phone line remained open to provide time for the Landlord to call in.

### Analysis

Due to the absence of the Landlord who filed this application, I find that this application for Dispute Resolution has been abandoned.

### Conclusion

I dismiss the application for Dispute Resolution with leave to reapply. This decision does not extend any applicable time limits under the *Residential Tenancy Act*. No findings of fact or law were made with respect to the dispute.

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 21, 2018

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Residential Tenancy Branch