



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

This is an Application for Dispute Resolution (the “Application”) brought by the tenants requesting a Monetary Order for the return of their security deposit.

Neither tenant attended at the appointed time set for the hearing, although I waited 14 minutes to enable them to participate in this hearing scheduled 1:30 P.M. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlord FF and I were the only persons who had called into this teleconference.

Issue(s) to be Decided

Are the tenants entitled to a Monetary Order for the return of their security deposit pursuant to section 38 (1) (c) of the Residential Tenancy Act (“Act”) and, the recovery of the filing fee pursuant to section 72 (1)?

Analysis and Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a 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.

As neither tenant called into the conference call by 1:44 P.M., I find the tenants have not presented the merits of this Application which is hereby **dismissed with leave to reapply**.

However, this does not extend any applicable time limits under the *Residential Tenancy Act* and I have made no findings of fact or law with respect to the merits of this Application.

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 27, 2018

Residential Tenancy Branch