



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CHARTWELL CONSTRUCTION LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, FFT

Introduction

This decision pertains to the Tenant's application for dispute resolution made on May 15, 2018, under the *Residential Tenancy Act* (the "Act"). The Tenant sought a monetary order for return of his security deposit and for recovery of the filing fee.

Issues to be Decided

1. Is the Tenant entitled to a monetary order for return of his security deposit?
2. Is the Tenant entitled to recovery of the filing fee?

Background and Evidence

The dispute resolution hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the *Rules of Procedure*, under the Act, requires that a hearing start at the scheduled time unless otherwise set by the arbitrator.

Rule 7.3 permits an arbitrator to conduct a hearing in the absence of any party, and may make a decision or dismiss the application, with or without leave to re-apply.

A hearing regarding the application was scheduled to commence at 1:30 p.m. on July 16, 2018. I dialed into the teleconference at 1:30 p.m. and monitored the teleconference line until 1:40 p.m. Neither the Tenant nor the Landlord dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. The Internet monitoring system indicated that I was the only person in attendance.

Analysis

I find that the application has been abandoned.

Conclusion

I dismiss the Tenant's application, with leave to reapply. However, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the 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 Act.

Dated: July 16, 2018

Residential Tenancy Branch