



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 Tenant who is requesting a monetary order for the return of his security deposit. The Tenant also requests an order for payment of the filing fee.

Neither party attended at the appointed time set for the hearing, although I waited 10 minutes to enable them to participate in this hearing scheduled for 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 I was the only person who had called into this teleconference.

Issues to be Decided

Is the Tenant entitled to a monetary order for the return of his security deposit, pursuant to section 38 of the Residential Tenancy Act (“Act”)?

Is the Tenant entitled to the payment of his filing fee of \$100.00, pursuant to section 72 of the Act?

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 party called into the conference call by 1:40 p.m., I find the Tenant has 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: July 04, 2018

Residential Tenancy Branch