



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF MNSD

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act*. (the *Act*), I was designated to hear this matter. This hearing dealt with the tenants' application for:

- A return of their security deposit pursuant to section 38 of the *Act*; and
- A return of the filing fee pursuant to section 72 of the *Act*.

While the respondent, landlord, attended the hearing by way of conference call, the applicant, tenants did not, although I waited until 1:40 P.M. in order to enable the tenants to connect with this teleconference hearing scheduled for 1:30 P.M. The landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

Rule 7.1 of the Rules of Procedure provides as follows:

**7.1 Commencement of the hearing** The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

### Conclusion

In the absence of the tenants' participation in this hearing, I order the application dismissed without liberty 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: July 10, 2018

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Residential Tenancy Branch