



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("the Act") for:

- authorization to obtain a return of all or a portion of their security deposit pursuant to sections 38 and 67; and
- authorization to recover the filing fee for this application pursuant to section 72.

The tenants did not attend this hearing, although I waited until 1:42 p.m. in order to enable the tenants to connect with this teleconference hearing scheduled for 1:30 p.m.

Landlord J.O. (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. The landlord indicated that they would be representing the interests of both landlords in this matter.

The landlord acknowledged receipt of the Application for Dispute Resolution (the Application). In accordance with section 89 of the Act, I find that the landlords were duly served with the Application.

Analysis

Rules 7.1 and 7.3 of the Rules of Procedure provides as follows:

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.

In the absence of any evidence or submissions from the applicant, I order the application dismissed without liberty to reapply.

Conclusion

I dismiss the tenants' Application, without leave 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 25, 2018

Residential Tenancy Branch