



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD

### Introduction

This is an Application for Dispute Resolution (the “Application”) brought by the Tenants requesting a monetary order and return of the security deposit.

The Landlord appeared for the scheduled hearing. The Tenant did not attend this hearing, although I left the teleconference hearing connection open for 10 minutes in order to enable the Tenant to call into this teleconference hearing scheduled for 1:30 p.m. I also confirmed from the teleconference system that the Landlord and I were the only ones who had called into this teleconference.

### Issue

Are the Tenants entitled to a monetary order for payment of the security deposit, pursuant to section 38 of the Residential Tenancy Act (“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 the Tenant did not call 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.

Conclusion

The Tenant's Application is dismissed with 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 27, 2018

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Residential Tenancy Branch