



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD/FFT

Introduction

On January 11, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting the return of his security deposit and to recover the cost of the Filing Fee. The matter was set for a participatory hearing via conference call.

The Tenant was emailed a copy of the Notice of a Dispute Resolution Hearing by the Residential Tenancy Branch on January 15, 2018. The Tenant; however, did not attend the teleconference hearing set for this date at 1:30 p.m. The phone line remained open for 13 minutes and was monitored throughout this time. The only person to call into the hearing was the Landlord who indicated that they were ready to proceed and were given a full opportunity to have their testimony be heard. I have confirmed that the file audit records indicate that the Tenant did not make any attempt to cancel the hearing prior to the start. I have also confirmed that the date, time and codes for the teleconference were correct and that the only persons showing on the teleconference system was the Landlord and myself.

After keeping the phone line open for 13 minutes, I dismissed the Tenant’s Application without leave to reapply as the Tenant failed to attend the hearing to present the merits of their Application or, at the very least, cancel their scheduled hearing in advance of the hearing.

Analysis

The Applicant (Tenant) did not attend the hearing and I find that they have abandoned their Application.

Conclusion

This Application is dismissed 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: August 17, 2018

Residential Tenancy Branch