



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL-S FFL

Introduction

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

- a monetary order for unpaid rent pursuant to section 67 of the *Act*;
- authorization to retain all or a portion of the tenant's security deposit and/or pet damage deposit in partial satisfaction of the monetary order requested pursuant to section 67 of the *Act*; and
- recovery of the filing fee from the tenant pursuant to section 72 of the *Act*.

The tenant, who was the respondent in this matter, attended at the date and time set for this hearing. The landlords, who were the applicants in this matter, did not attend this hearing, although I left the teleconference hearing connection open until 2:03 p.m. in order to enable the landlords to call into this teleconference 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 Dispute Resolution Proceeding. I also confirmed from the teleconference system that the tenant and I were the only ones who had called into this teleconference.

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 Consequences of not attending the hearing – If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application with or without leave to reapply.

Therefore, in the absence of the landlords' attendance at this hearing, I order the landlords' application in its entirety dismissed without liberty to reapply.

The tenant inquired about options for seeking the return of his security deposit and pet damage deposit, which continue to be held by the landlords. The tenant advised that he had not yet provided the landlords with his forwarding address.

I advised the tenant that he is at liberty to pursue an application for dispute resolution regarding the return of the security deposit and pet damage deposit.

As the tenant was not familiar with the residential tenancy legislation requirements and processes, I informed the tenant that he could contact the Residential Tenancy Branch to speak with an Information Officer or visit the Branch's website. The Information Officers at the Residential Tenancy Branch are accessible by telephone and email to provide assistance to both landlords and tenants regarding the process to be followed when a tenancy agreement is in dispute and the appropriate remedies available under the *Act*.

Conclusion

The landlords' application is dismissed in its entirety, 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: October 04, 2018

Residential Tenancy Branch