Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNSD

Introduction

The tenant filed an application for dispute resolution on June 15, 2018, pursuant to section 59 of the *Residential Tenancy Act* (the "Act"), seeking a monetary order for the return of a security deposit, pursuant to section 38(1)(c) of the Act.

This is my decision in respect of the tenant's application.

Issue to be Decided

1. Is the tenant entitled to a monetary order for the return of a security deposit?

Background and Evidence

The dispute resolution hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the *Rules of Procedure*, under the Act, requires that a hearing start at the scheduled time unless otherwise set by the arbitrator. Further, Rule 7.3 permits an arbitrator to conduct a hearing in the absence of any party, and may make a decision or dismiss the application, with or without leave to re-apply.

A hearing regarding the application was scheduled to commence at 1:30 p.m., Pacific Standard Time, on September 21, 2018. I dialed into the teleconference at 1:30 p.m. and monitored the teleconference line until 1:40 p.m. Neither the tenant nor the landlord dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. The Internet monitoring system indicated that I was the only person in attendance.

Analysis

I find that the application has been abandoned.

Conclusion

I dismiss the tenant's application, with leave to reapply. However, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: September 21, 2018

_____
Residential Tenancy Branch