



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, MNSD

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenant under the *Residential Tenancy Act* (“Act”) for a monetary order in the amount of \$3,200.00 for the return of the tenant’s security deposit and/or pet damage deposit, and for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

On July 5, 2018, the hearing began and both parties were present and were affirmed. After 29 minutes, it was clear that a 3 hour adjourned hearing would be required due significant evidence issues. As a result, I adjourned the hearing and made several orders in my Interim Decision dated July 5, 2018 which should be read in conjunction with this decision.

Both parties were provided with a Notice of Hearing indicating that the adjourned hearing would take place on Monday, September 10, 2018 at 9:30 a.m. Pacific Time. On September 10, 2018 at 9:30 a.m. Pacific Time the only party to call into the teleconference hearing was the respondent landlord who remained on the line for ten minutes. The teleconference system was monitored for the entire ten minute waiting period and the applicant tenant did not call into the teleconference hearing. The only persons on the teleconference call were the respondent landlord and the undersigned arbitrator. I also confirmed that the day, time and conference call codes were correct on the Notice of Hearing sent to both parties dated July 6, 2018. As the landlord attended the hearing and was ready to proceed, the tenant’s application was **dismissed without leave to reapply** as the tenant failed to attend the scheduled hearing to present the merits of their application.

Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the *Act*.

This decision will be emailed to both parties at the email addresses confirmed on July 5, 2018.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: September 11, 2018

Residential Tenancy Branch