



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD

### Introduction

This hearing dealt with an Application for Dispute Resolution (“Application”) by the Tenant seeking remedy under the *Residential Tenancy Act* (“Act”) for a monetary order in the amount of \$750.00, representing the security deposit that the Landlord did not return after the tenancy ended.

The Tenant was provided with a copy of the Notice of a Dispute Resolution Hearing on September 25, 2018; however, the Tenant did not attend the teleconference hearing scheduled for Monday, January 21, 2019 at 1:30 p.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the respondent Landlord, JJ (“Landlord”), who indicated that she was ready to proceed.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure (the “Rules of Procedure”) states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Respondent Landlord and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 1:30 p.m. on January 21, 2019, as scheduled.

Rule 7.3 of the Rules of Procedure states that 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. The teleconference line remained open for 10 minutes, however, neither the Applicant nor an Agent acting on her behalf attended to provide any evidence or testimony for my consideration. As a result, and pursuant to rule 7.3 of the Rules of Procedure, I **dismiss the Tenant’s Application without leave to reapply.**

Conclusion

The Tenant's Application is dismissed without leave to reapply, as the Tenant or an Agent for the Tenant did not attend the hearing to present the merits of the Application. The Respondent Landlord did attend the hearing.

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

This decision will be emailed to the address provided by the Landlord during the hearing and to the email address provided by the Tenant in the Application.

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: January 23, 2019

---

Residential Tenancy Branch