



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, RPP, FFT

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* ("the Act") for the following:

- A monetary order for return of security deposit pursuant to section 38;
- An order for the landlord to return personal possessions pursuant to section 65;
- Reimbursement of the filing fee pursuant to section 72.

This matter was set for hearing by telephone conference. The applicant tenant did not attend. The landlord attended. I left the teleconference hearing connection open from the scheduled time for an additional ten minutes to enable the applicant tenant to call. I confirmed that the Notice of Hearing provided the correct call-in numbers and participant codes. I also confirmed from the teleconference system that the landlord 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.

As the applicant did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed with leave to reapply. Leave to reapply does not constitute an extension of any applicable time limit.

Conclusion

The application is dismissed with 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: February 25, 2019

Residential Tenancy Branch