Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>　　　MNSD

<u>Introduction</u>

On August 14, 2019, the Tenant made an application for a Dispute Resolution proceeding seeking a return of the security deposit pursuant to Section 38 of the *Residential Tenancy Act* (the "*Act*").

The Landlord attended the hearing; however, the Tenant did not appear during the 10-minute teleconference.

<u>Issue(s) to be Decided</u>

- Is the Tenant entitled to a return of the security deposit?

<u>Background and Evidence</u>

This hearing was scheduled to commence via teleconference at 1:30 PM on December 10, 2019.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

I dialed into the teleconference at 1:30 PM and monitored the teleconference until 1:40 PM. The Landlord dialed into the teleconference at the start of the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of

Hearing. I also confirmed from the teleconference system that the only party who had called into this teleconference and stayed for the duration of the hearing was the Landlord.

Analysis

As the Applicant did not attend the hearing by 1:40 PM, I find that the Application for Dispute Resolution has been abandoned.

Conclusion

As the Applicant did not attend the hearing by 1:40 PM, I dismiss the Application 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: December 10, 2019

_____
Residential Tenancy Branch