



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FFT, MNSD

### Introduction

I was designated to hear this matter pursuant to section 58 of the *Residential Tenancy Act* (the *Act*). The tenant applied for:

- a monetary order for the return of the security or pet damage deposit for the tenant pursuant to section 38(1) of the *Act*;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72(1) of the *Act*.

The Respondent called into this teleconference hearing at the date and time set for the hearing of this matter. The Applicant did not, although I waited until 1:42 p.m. to enable him to connect with this teleconference hearing scheduled for 1:30 p.m. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Respondent and I were the only persons 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.

**Accordingly, in the absence of any attendance at this hearing by the Applicant I order the application dismissed without liberty to reapply.**

Although the Applicant did not call into the hearing, the landlord confirmed at the hearing that he could provide further evidence as to the damage that had occurred in the rental unit.

The landlord was informed that this application was the tenant's application and he was advised to contact the Residential Tenancy Branch for further information in relation to any tenancy matters.

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 04, 2020

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Residential Tenancy Branch