



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ACTION PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (application) by the tenants seeking remedy under the *Residential Tenancy Act* (the Act) for a monetary order in the amount of \$116.35 for the return of their security deposit balance and the filing fee.

The tenants were provided with a copy of the Notice of a Dispute Resolution Proceeding dated November 26, 2019 (Notice of Hearing) when they made their application. The tenants, however, did not attend the hearing set for this date, Thursday, April 23, 2020 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 an agent for the respondent landlord, WS (agent).

Analysis

Residential Tenancy Branch (RTB) Rules of Procedure (Rules) 7.1 and 7.3 apply and state:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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 re-apply.

Given the above and following the 10-minute waiting period, the application of the tenants was **dismissed without leave to reapply**. This decision does not extend any applicable time limits under the Act.

The filing fee is not granted.

Conclusion

The tenants' application is dismissed without leave to reapply.

This decision will be emailed to both parties at the email addresses confirmed by the agent for the landlord and the email address for the tenants provided in their 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: April 23, 2020

Residential Tenancy Branch