



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (Act) for:

- a return of their security deposit; and
- recovery of the filing fee.

The hearing began at 1:30 p.m. Pacific Time on Tuesday, April 28, 2020, as scheduled and the telephone system remained open and was monitored for 11 minutes. During this time, the tenant did not call into the hearing; however, the landlord was present and ready to proceed with the hearing.

I continued the hearing for 11 minutes, in order to allow the tenant to call into the hearing.

Analysis and Conclusion

Rule 7.3 of the Rules of Procedure provides as follows:

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.

Accordingly, **in the absence of any evidence or submissions, I order the application of the tenant dismissed.**

As the respondent/landlord attended and was ready to proceed, I dismiss the tenant's 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: April 28, 2020

Residential Tenancy Branch