



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

The tenant filed an Application for Dispute Resolution on March 6, 2020 seeking an order for the return of all or part of the security deposit. The tenant also applied for an order for the reimbursement of the application filing fee. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on July 9, 2020.

Neither the tenant nor the landlord attended the hearing, although I left the teleconference hearing connection open until 1:40 p.m. to enable all parties to call in to this teleconference hearing scheduled for 1:30 p.m.

I confirmed the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that neither party was in attendance.

Rules 7.3 of the Rules of Procedure provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to re-apply.

Issue(s) to be Decided

Is the tenant entitled to an Order granting a refund of double the amount of the security deposit and pet damage deposit pursuant to section 38(1)(c) of the *Act*?

Conclusion

As the applicant did not attend to present their Application, I dismiss the tenant's application for a monetary order, with leave to reapply. While I have provided leave to reapply, it does not extend any applicable time limits under the *Act* and I have made no legal findings on the merits of the dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 10, 2020

Residential Tenancy Branch