Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   **MNSDS-DR**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for the landlord to return the security deposit pursuant to section 38;

This matter was set for hearing by telephone conference. Neither party attended although I left the teleconference hearing connection open from the scheduled time for an additional ten minutes to enable them to call. I confirmed that the Notice of Hearing provided the correct call-in numbers and participant codes. I also confirmed from the teleconference system that I was the only one 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.*

As neither the applicant nor the respondent attended the hearing and in the absence of any evidence or submissions, I order the application dismissed without leave to reapply.

<u>Conclusion</u>

As neither the applicant nor the respondent attended the hearing and in the absence of any evidence or submissions, I order the application dismissed 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: July 14, 2020

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Residential Tenancy Branch