



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSDS-DR, FFT

Introduction

The tenant filed an Application for Dispute Resolution (the “Application”) on February 10, 2020 seeking to recover compensation for damages. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on August 4, 2020. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The landlords attending the hearing confirmed that they received notice of this hearing. The matter was adjourned on June 25, 2020 to afford the landlords the opportunity to review the evidence prepared by the tenant that was not provided to them before that hearing. When adjourned, the parties were informed of the reconvened hearing date and time via a Notice of Hearing generated by this office on June 30, 2020.

The tenant did not attend the hearing, although I left the teleconference hearing connection open until 11:14 a.m. to enable them to call in to this teleconference hearing scheduled for 11:00 a.m.

I confirmed that 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 the tenant was not in attendance.

Rule 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 reapply.

Issue(s) to be Decided

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

Is the tenant entitled to recover the filing fee for this application pursuant to section 72 of the *Act*?

Conclusion

In the absence of the applicant tenant I dismiss this Application for Dispute Resolution in its entirety and 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 *Act*.

Dated: August 5, 2020

Residential Tenancy Branch