



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDCT, FFT

Introduction

The tenants apply to recover the balance of a security deposit and for an amount equivalent to twelve months' rent pursuant to s. 51(2) of the *Residential Tenancy Act*, claiming the landlord/purchaser has not used the rental unit for family occupation for at least six months duration. The tenants also seek recovery of the filing fee for this application.

Neither applicant tenant attended for the hearing within 10 minutes after its scheduled start time at 1:30 p.m. on October 19, 2020. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the landlord and this arbitrator were the only ones who had called into this teleconference during that period.

As a result the tenants' application is dismissed. As the landlord attended and was ready to proceed, the application is dismissed without leave to re-apply.

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: October 19, 2020

Residential Tenancy Branch