



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCL-S, FFL

### Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, made on July 28, 2020 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for damage or compensation;
- an order granting recovery of the filing fee; and
- to retain the security deposit.

This matter was set for hearing by telephone conference call at 1:30 PM (Pacific Time) on October 30, 2020. Only the Tenant K.W. attended the hearing at the appointed date and time. No one appeared from the Landlord. The line remained open while the phone system was monitored for 11 minutes and no one called into the hearing for the Landlord during this time. Therefore, as no one attended the hearing for the Applicant by 1:41 PM. I dismiss the Application in its entirety without leave to reapply.

The Landlord had applied to retain the Tenants' security deposit towards his monetary claim. At the start of the hearing, the Tenant stated that the parties had a previous hearing in which the Tenants were awarded double their security deposit back as the Landlord did not comply with Section 38 of the Act. As such, I make no findings in relation to the return of the Tenant's deposit.

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 30, 2020

---

Residential Tenancy Branch