



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCL-S, FFL

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for compensation - Section 67;
2. An Order to retain the security deposit - Section 38; and
3. An Order to recover the filing fee for this application - Section 72.

This matter was set for a conference call hearing at 1:30 p.m. on this date. The Arbitrator called in to the hearing at the scheduled time. The line remained open while the phone system was monitored for eleven minutes. The only Parties who called into the hearing during this time were the Tenant who were ready to proceed. It was confirmed that the correct call-in numbers and participant codes were provided in the notice of hearing to the Landlord.

The Tenants state that there is no basis for the Landlord’s claims as they did not cause any damage to any part of the unit, including the shower, did not damage the Landlord’s car and did not cause the Landlord to incur any losses. The Tenants state that the security deposit was already ordered returned to the Tenants in a previous decision.

Section 62(4)(a) of the Act provides that the director may dismiss all or part of an application for dispute resolution if there are no reasonable grounds for the application or part. As the Applicant did not attend the hearing to pursue its application or give evidence on its claims and given the Tenant’s undisputed evidence of no basis for the

claims, I find that there are no reasonable grounds for any of the claims in the Landlord's application. I therefore dismiss the Landlord's application in its entirety. The Landlord does not have 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: February 23, 2021

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Residential Tenancy Branch