



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSDS-DR

### Introduction, Preliminary and Procedural Matters-

This telephone conference call hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (Act) for:

- a return of their security deposit.

This dispute began under the non-participatory, direct request process, and was reconvened to a hearing by an adjudicator for the Residential Tenancy Branch (RTB) in a written Decision of April 14, 2021. That Decision should be read along with this Decision.

This hearing began at 1:30 p.m. Pacific Time on Tuesday, September 7, 2021, as scheduled and the telephone system remained open and was monitored for 11 minutes.

During this time, the tenants did not call into the hearing; however, the landlord was present and ready to proceed with the hearing.

I continued the hearing for 11 minutes, in order to allow the tenants to call into the hearing.

Rules 7.3 and 7.4 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 re-apply.

**7.4 Evidence must be presented**

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Accordingly, **in the absence of any evidence or submissions by the tenants at the hearing, I order their 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: September 7, 2021

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Residential Tenancy Branch