



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSDS-DR

### Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (Act) for their return of double their security deposit. The filing fee was waived.

There were two previous Interim Decisions dated June 30, 2021 and December 7, 2021, which should be read in conjunction with this Decision.

The tenant was provided with a copy of the Notice of a Dispute Resolution Proceeding document dated December 8, 2021 (Notice of Hearing). The tenant, however; did not attend the teleconference hearing set for this date, Thursday, July 7, 2022 at 1:30 p.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the landlord who indicated that they were ready to proceed. I have confirmed that file records support that the tenant did not make any attempt to cancel the hearing prior to the hearing.

Following the 10-minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant failed to attend the hearing to present the merits of their application or at the very least cancel their scheduled hearing in advance of the hearing. This is pursuant to Rule 7.1, 7.3 and 7.4 of the Residential Tenancy Branch (RTB) Rules of Procedure (Rules). The landlord did attend the hearing and was ready to proceed.

### Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to both parties.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: July 7, 2022

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Residential Tenancy Branch