

DECISION

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (Application) pursuant to the *Residential Tenancy Act* (the "Act") for:

- a Monetary Order for the return of all or a portion of their security deposit and/or pet damage deposit pursuant to sections 38 and 67 of the Act (\$375.00)
- authorization to recover the filing fee for this application from the landlord pursuant to section 72 of the Act (\$100.00)

Analysis

Neither party attended at the appointed time set for the hearing, although I waited until **1:40PM** to enable them to participate in this hearing scheduled for 1:30PM. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

Rule 7 of the Rules of Procedure provides as follows:

Rule 7.1 Commencement of the hearing

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

Rule 7.3 Consequences of not attending the hearing

The arbitrator may conduct the hearing in the absence of a party or dismiss the application, with or without leave to re-apply.

Conclusion

Accordingly, **in the absence of any evidence or submissions I order the application dismissed, with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

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: January 3, 2023

Residential Tenancy Branch