

Decision

Dispute Codes:

MNR MNSD FF

Introduction

This is the Landlord's application for; a Monetary Order for loss of rent for the month of July, 2009; to retain the security deposit paid by the Tenant; and to recover the filing fee from the Tenant for the cost of the Application.

I reviewed the evidence provided prior to the Hearing and the Hearing proceeded on its merits.

Issues to be Decided

- Is the Landlord entitled to a Monetary Order, and if so, in what amount?
- Is the Landlord entitled to recover the cost of the filing fee from the Tenant?

Preliminary Matter

This application was scheduled to be heard via teleconference on November 3, 2009 at 9:00 a.m. At 9:10 a.m., the Landlord had not yet signed into the teleconference. The Tenant was present, with her interpreter, and ready to proceed.

Conclusion

The Landlord's application is dismissed without leave to re-apply.

The security deposit remains available, to be applied in accordance with the provisions of Section 38 of the Act.

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: November 13, 2009.
