Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND; MNDC; MNSD; FF

Introduction

This matter was scheduled to hear the Landlord's application for a Monetary Order for damage to the rental unit and for compensation for damage or loss under the Act, regulation or tenancy agreement; to apply the security deposit towards partial satisfaction of his monetary award; and to recover the cost of the filing fee from the Tenant.

This application was scheduled to be heard via teleconference on July 28, 2011 at 1:30 p.m. The Tenant signed into the conference on time and was ready to proceed, however by 1:40 p.m., the Landlord had not yet signed into the teleconference.

The Tenant gave affirmed testimony that she had paid a security deposit in the amount of $425.00 to the Landlord on or about July 1, 2009.

The Landlord did not appear at the Hearing and did not provide any documentary evidence to the file. The Landlord's application was dismissed without leave to reapply.

Based on the affirmed testimony of the Tenant and the fact that the Landlord had applied against the security deposit, I am satisfied that a deposit in the amount of $425.00 was paid. I hereby order the Landlord to return the security deposit to the Tenant forthwith. The Tenant is provided a Monetary Order in the amount of $450.00 for service upon the Landlord.

Conclusion

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

I order that the Landlord return the security deposit to the Tenant forthwith. I hereby provide the Tenant a Monetary Order in the amount of **$425.00** for service upon the Landlord. This Order may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

Dated: July 28, 2011.

Residential Tenancy Branch