



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the Act) I was designated to hear this matter. The tenants' application was for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67 of the Act;
- authorization to obtain a return of all or a portion of their security deposit pursuant to section 38 of the Act; and
- authorization to recover their filing fee for this application from the landlords pursuant to section 72 of the Act.

Despite waiting fifteen minutes, neither party called into this hearing at the appointed time. I also confirmed that neither party had contacted the hearing number.

Analysis

Rule 10.1 of the Rules of Procedure provides:

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Accordingly, in the absence of any evidence or submissions I dismiss this application 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.

Conclusion

The tenants' application is dismissed with leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: December 08, 2015

Residential Tenancy Branch

