



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Community Builders
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD

Introduction

This hearing first convened on November 4, 2016, pursuant to the tenant's application for recovery of the security deposit. On that date, an agent for the tenant and an agent for the landlord called in to the teleconference hearing.

Preliminary Issues

At the outset of the hearing on November 4, 2016, a question arose regarding whether or not the tenancy between the landlord and the tenant fell within the jurisdiction of the Residential Tenancy Act. The landlord had not submitted a copy of the tenancy agreement, and the tenant's agent stated that the agreement was a crucial piece of evidence that he needed to review before he could respond. I therefore adjourned the hearing. I ordered the landlord to serve the Branch and the tenant or the tenant's agent with a copy of the tenancy agreement.

The hearing was adjourned and scheduled to reconvene by telephone conference call at 9:30 a.m. on January 4, 2017. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the respondent. Therefore, as the applicant did not attend the hearing by 9:40 a.m., and the respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

Conclusion

As the applicant tenant did not appear at the reconvened hearing, his application is dismissed.

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 4, 2017

Residential Tenancy Branch

