



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed on July 30, 2018, wherein the Tenant sought return of double the security deposit paid pursuant to section 38 of the *Residential Tenancy Act*, and recovery of the filing fee.

The hearing was scheduled for 1:30 p.m. on November 30, 2018. 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 Landlord's representative, M.Z.

The Tenant did not attend this hearing, although I left the teleconference hearing connection open until 1:40 p.m.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that M.Z. and I were the only ones who had called into this teleconference.

M.Z. confirmed that the Landlord received the Tenant's forwarding address on July 30, 2018 and provided the security deposit funds to the Tenant on August 13, 2018

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

Commencement of Hearing:

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

Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Tenant did not call into the hearing by 1:40 p.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 30, 2018

Residential Tenancy Branch