



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

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## DECISION

Dispute Codes: MNDCT MNSD FFT

### Introduction

The tenants sought compensation, including the return of a portion of their security deposit, pursuant to sections 38(1) and 67 of the *Residential Tenancy Act* ("Act"). In addition, they sought to recover the cost of the filing fee under section 72 of the Act.

A dispute resolution hearing was first held on March 10, 2022. The matter was adjourned to today to give the parties a chance to serve evidence on each other.

### Preliminary Issue: Absence of Applicants and Conclusion of Application

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

A hearing was held on June 20, 2022, and only the landlords attended. The hearing concluded after the tenants failed to attend. Because the tenants did not attend the hearing to prove their case, their application is **dismissed without leave to reapply**.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: June 20, 2022

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Residential Tenancy Branch