



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDCT, MNRT, FFT

Introduction

The Tenant filed an Application for Dispute Resolution (the “Application”) on December 31, 2021 seeking to recover the security deposit from the tenancy, and other monetary loss and the filing fee. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on August 9, 2022. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The Landlord representatives attending the hearing confirmed that they received notice of this hearing from the Residential Tenancy Branch two weeks prior to the hearing, and not from the Tenant after they applied and received the Notice in January 2022.

The Tenant did not attend the hearing, although I left the teleconference hearing connection open until 1:40pm to enable them to call in to this teleconference hearing scheduled for 1:30pm.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that the Tenant was not in attendance.

Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply.

Conclusion

In the absence of the applicant Tenant, I dismiss this Application for Dispute Resolution in its entirety, and without leave to reapply. Alternately, I dismiss the Application because the Tenant did not notify the Landlord of this hearing as required.

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

Dated: August 9, 2022

Residential Tenancy Branch