



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD MNR MNDC MND FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain a Monetary Order for damage to the unit, site or property, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, for unpaid rent or utilities, to keep all or part of the security deposit, and to recover the cost of the filing fee from the Tenants for this application.

No one was in attendance for either the Landlord or the Tenants.

Issue(s) to be Decided

1. Have the Tenants breached the *Residential Tenancy Act*, regulation or tenancy agreement?
2. If so, has the Landlord met the burden of proof to obtain an Order of Possession and a Monetary Order as a result of that breach?

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing.

In the absence of the applicant Landlord and respondent Tenants, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Landlord or respondent Tenants called into the hearing during

this time. Based on the aforementioned the Landlord has not presented the merits of their application and the application is hereby dismissed with leave to reapply.

Conclusion

I HEREBY DISMISS the Landlord's application with leave to reapply.

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: September 06, 2011.

Residential Tenancy Branch