



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, (MNDC)

Introduction

This matter dealt with an application by the Tenant to recover a rent payment for October 2011. The oral hearing via teleconference was initially scheduled for hearing at 10:30 a.m. on January 5, 2012, however due to technical issues it was reconvened to today's date for hearing via conference call at 9:00 a.m. Notices of the reconvened hearing were mailed to each of the Parties on January 5, 2012 setting out the new date, time and dial in codes. As of 9:10 a.m., however, neither party had dialled into the conference call.

As there has been no hearing into the merits of the Tenant's application, it is dismissed with leave to reapply, provided that it is not excluded under s. 4(c) of the Act which states as follows:

"The Act does not apply to living accommodations in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation."

Conclusion

The Tenant's application is dismissed 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: January 19, 2012.

Residential Tenancy Branch