



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD

### Introduction and Analysis

This hearing was convened as a result of the landlord's successful application for review regarding the Decision and monetary order issued against them on July 4, 2012, with respect to the tenant's original application for dispute resolution.

The tenant's original application was set for hearing on July 4, 2012, and the landlord failed to appear. The hearing proceeded in the landlord's absence and a monetary order in the amount of \$1750.00 was issued in favour of the tenant.

On July 6, 2012, the landlord applied for a review of that Decision and monetary order alleging they had not been served a notice of the July 4, 2012 hearing.

The reviewing Dispute Resolution Officer ("DRO") granted the landlord's application for review, suspended the Decision and Order of July 4, 2012, and granted the landlord a review hearing for an opportunity to be heard. The DRO further ordered that the landlord serve the tenant with a copy of her review Decision and Notice of Hearing documents within 3 days of the receipt of her Decision.

The review hearing was scheduled to be heard by telephone conference call hearing at 10:30 a.m. on August 9, 2012.

The hearing began at 10:30 a.m. as scheduled and the telephone system remained open and was monitored for 12 minutes. During this time, only the tenant dialed into the telephone conference call hearing and presented that he was ready to proceed.

### Conclusion

In the absence of the landlord to present their evidence, I find the Decision and Order issued on July 4, 2012 in favour of the tenant should be and **they are hereby reinstated.**

Should the landlord fail to pay the tenant the amount of \$1750.00 listed in the monetary order of July 4, 2012, without delay, the order may be filed in the Provincial Court of British Columbia (Small Claims) for enforcement against the landlord.

This decision on review 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: August 09, 2012.

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Residential Tenancy Branch