Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

<u>Dispute Codes</u>   MNDC, OLC, MND, MNR, MNSD, FF

This hearing dealt with cross Applications for Dispute Resolution filed by the parties.

The Tenants filed for a monetary order compensation under the Act or tenancy agreement, for an order for the Landlord to comply with the Act or tenancy agreement, and to recover the filing fee for the Application.

The Landlord filed for an order for unpaid rent, to keep the security deposit in partial satisfaction of the claim, for a monetary order for money owed or compensation under the Act or tenancy agreement, and to recover the filing fee for the Application.

Only the Agent for the Landlord appeared at the hearing. This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Agent for the Landlord. **Therefore, as the Tenants did not attend the hearing by 11:10 a.m., I dismiss their claim without leave to reapply.**

The Agent for the Landlord who appeared at the hearing was unaware of the Application filed by a different Agent for the Landlord. The Agent for the Landlord did not have the evidence of the Landlord or the particulars of the amounts claimed. In these circumstances, **I order that the hearing of the Landlord's Application is adjourned**. A Notice of the time and date for the reconvened hearing is included with this interim decision. The Landlord must serve the Tenants with a notice of the reconvened hearing, along with any evidence they wish to rely on at the hearing, if they have not already done so.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 22, 2013