



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

At the start of the Hearing the Arbitrator questioned the Landlord if he had the right dial in information because the Arbitrator did not have the Landlord scheduled for this Hearing time slot. The Landlord said this was the information that he was given and he wanted to continue with the hearing. On further renew after the conference call the Arbitrator discovered the Landlord's hearing was scheduled for May 13, 2013 at 2:00 p.m. not March 13, 2013 at 2:00p.m. Consequently as the Tenant was not present and the Landlord was mistaken on the hearing date, I am unable to make a decision on this application.

The Hearing will continue to be scheduled for May 13, 2013 at 2:00 p.m. The Notice of Hearing indicates May 13, 2013 at 2:00 p.m. which is the time the Tenant has been given for the Hearing.

I find I must remove myself from this matter as I have heard testimony from the Landlord in the absence of the Tenant which may be considered to put the Tenant at a disadvantage if I reheard the matter. Consequently the Hearing will be heard as scheduled on May 13, 2013 at 2:00 p.m. by a new Arbitrator. As nothing has changed on the Notice of Hearing no new information needs to be sent to either the Landlord or Tenant.

Conclusion

This matter is referred to a new Arbitrator for May 13, 2013 at 2:00 p.m.

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: March 13, 2013

Residential Tenancy Branch

