



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW HEARING DECISION

Dispute Codes CNR, MNDC, OLC, FF and O

Introduction

This Review Hearing was granted on the landlord's application by a decision made on May 31, 2013. The review was granted on the grounds that the landlord had been unable to attend the original hearing on May 15, 2013. The arbitrator who granted the review hearing had found that the tenants had served the landlord at an address that they ought to have known was no longer current.

As a matter of note, at another review hearing on June 20, 2013 granted on another dispute resolution, the arbitrator, with his decision of June 21, 2013, issued an Order of Possession to take effect two days from service. The landlord's claim for a monetary award was reduced from \$9,809.62 to \$2,909.61, of which \$1,000 was awarded by way of the security deposit and the balance by a Monetary Order.

In all, this is the fifth hearing between these parties since April 19, 2013 and the first hearing had to be adjourned to a second session.

Despite having been served with the Notice of Hearing sent by registered mail on June 13, 2013, the tenants did not call in to the number provided to enable their participation in the telephone conference call. hearing. Therefore, it proceeded in their absence.

The landlord stated that, on June 26, 2013 he attended the rental property and found that the tenants had already moved. In view of that fact and the orders issued on the Review Hearing decision of June 21, 2013, I find that all other matters on the subject file are now moot or *res judicata*.

The subject file is dismissed without 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: July 04, 2013

Residential Tenancy Branch

