



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding TYMAR VENTURES INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNR FF

Introduction and Analysis

This telephone conference call hearing was convened as the result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "Act") for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, and to recover the filing fee.

The hearing began at 9:30 a.m., Pacific Time, on Friday, May 2, 2014, as scheduled and the telephone system remained open and was monitored for 10 minutes. The landlord was provided with a Notice of Dispute Resolution Hearing document dated January 21, 2014.

The only person to call into the hearing was the respondent tenant, "LS". After the ten minute waiting period, the landlord's application was dismissed in full, without leave to reapply, as the tenant appeared and was prepared to proceed and the landlord failed to attend the hearing to present the merits of their application.

As the landlord applicant failed to attend the hearing and their application has been dismissed in full, I do not grant the landlord the recovery of their filing fee.

Conclusion

In the absence of the landlord to present the merits of their application, and given the fact that the tenant did appear and was prepared to proceed, the landlord's application has been dismissed in full, without leave to reapply.

The landlord applicant has not been granted their filing fee, as the landlord failed to attend the hearing and their application was dismissed in full.

This decision is final and binding on the parties, unless 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: May 2, 2014

Residential Tenancy Branch

