



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was set for a telephone conference call at 1:30 pm in response to an Application for Dispute Resolution (the "Application") made by the Tenant for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act") and to recover the filing fee for the cost of making the Application.

The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing was the Landlord. The Landlord submitted he and the Tenant had come to a mutual agreement in relation to their dispute and an e-mail had been sent to the Residential Tenancy Branch detailing this. However, this e-mail was not before at the time of making this decision.

Analysis & Conclusion

Rule 10.1 of the Dispute Resolution Proceedings Rules of Procedure states that the hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the Application, with or without leave to re-apply. As the Tenant did not appear by 1:40 p.m., and the Landlord appeared, I dismiss the Tenant's Application **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 Act.

Dated: June 09, 2014

Residential Tenancy Branch

