



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened by way of conference call concerning 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.

The Tenant appeared for the hearing and provided the Canada Post tracking number during the hearing, which was noted in the file, as evidence that the Landlord was served a copy of the Application and Notice of Hearing documents by registered mail. The Canada Post website indicates that the Landlord received and signed for the documents. Based on this evidence, I determined that the Tenant had served the Landlord in accordance with Section 89(1) (c) of the Act. However, there was no appearance by the Landlord during the 30 minute duration of the hearing and no submission of written evidence prior to the hearing. The Tenant had also not submitted any written evidence prior to the hearing.

Analysis & Conclusion

At the start of the hearing, the Tenant was provided information about his rights and obligations under the Act. The Tenant then decided to withdraw his entire application to reconsider the claim and his options stating that this was the first time he was going through this process. As the Landlord failed to appear for the hearing and the Tenant withdrew his claim, I dismiss the Tenant’s Application but provide leave to re-apply.

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: August 22, 2014

Residential Tenancy Branch

