



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

This hearing was convened in response to a request for Review Consideration in which the landlords were granted a new hearing as they were unable to attend previous hearings dealing with this claim.

The claimants are the tenants whose hearing was originally held on August 6, 2013. In a decision issued the same day, the tenants were awarded \$5,573.04. The landlords were granted a new hearing and through a series of errors, several hearings have taken place in which both parties were unable to attend for various reasons.

Because of the significant number of issues which prevented both parties from participating on previous hearing dates, on September 19, 2014, the Residential Tenancy Branch telephoned both parties to ensure that they were aware of the hearing and had the correct passcodes which would permit them to access the hearing. Both parties were given the passcodes.

The landlords appeared at the hearing on this date and the tenants did not. The landlords presented evidence showing that they emailed both tenants to confirm their current addresses for service and that they sent the notices of hearing to the tenants at their respective addresses.

I find that the tenants were aware of the hearing, both as a result of having been served with the notices of hearing by the landlords and having been advised by the Residential Tenancy Branch. Because the landlords appeared at the hearing and were ready, willing and able to proceed, **I dismiss the tenants' claim without leave to reapply.**

The decision and order issued on August 6, 2013 are set aside and of no force or effect.

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: September 22, 2014

Residential Tenancy Branch

