



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding THE REMINGTON CONCEPT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RPP, MNDC, FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("the Act"), I was designated to hear this matter. This hearing dealt with the tenants' application for return of property pursuant to section 65; a monetary order for loss as a result of this tenancy pursuant to section 67; and recovery of the filing fee for this application pursuant to section 72.

The tenant did not attend although the 1:30 pm teleconference continued until 1:46 pm. The landlord's representative ("the landlord") was present and provided sworn testimony that the tenant had vacated the rental unit. With respect to the tenant's failure to attend this hearing, Rule 10.1 of the Rules of Procedure provides as follows:

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

In the absence of the tenant's participation in this hearing to support his application and given the sworn evidence provided by the landlord, **I order the tenants' application dismissed without liberty 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: August 31, 2015

Residential Tenancy Branch