



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MNDC, FF, O

### Introduction

These hearings took place in response to an Application for Dispute Resolution (the "Application") made by the Tenant for monetary compensation for damage or loss under the *Residential Tenancy Act* (the "Act"), regulation or tenancy agreement. The Tenant also applied to recover the filing fee from the Landlord and for "Other" issues.

The Tenant appeared for the first hearing which took place on June 22, 2015. However, the Tenant was granted an adjournment of the proceedings to allow him to provide documentary evidence to support his case. Full details of the reasons for the adjournment were detailed in my Interim Decision dated June 22, 2015. In this Interim Decision, the Tenant was required to provide documentary evidence prior to this reconvened hearing in accordance with the Rules of Procedure.

However, there is no evidence before me that any documentary evidence was submitted by the Tenant prior to this reconvened hearing. Furthermore, there was no appearance by the Tenant or the Landlord for this hearing despite the telephone line being left open and monitored for ten minutes.

### 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 neither party called into the hearing by 9:10 a.m., I find the Tenant has not presented the merits of the Application which is now **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the Act. I make no findings of fact or law with respect to the merits of this Application.

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 27, 2015

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Residential Tenancy Branch

