Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MND, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for damage or loss under the Act, damage to the rental unit in the sum of $4,050.00 and return of the filing fee cost.

This matter was set for hearing at 1:30 p.m. on this date. The tenant was present at the start of the hearing. By 1:41 p.m. the landlord had not entered the conference call hearing.

Residential Tenancy Branch Rules of Procedure provides:

> ### 7.1 Commencement of the dispute resolution hearing
>
> > *The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.*
>
> ### 7.3 Consequences of not attending the hearing
>
> > *If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.*

The tenant was at the hearing prepared to proceed and the landlord failed to attend. Therefore, I find, in the absence of an appearance of the landlord by 1:41 p.m., that this application is dismissed without leave to reapply.

Conclusion

application is dismissed.

This decision is final and binding and 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: March 15, 2016

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Residential Tenancy Branch