



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, MNDC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was originally conducted via teleconference on May 10, 2016 and was attended by the landlord and both tenants. At that time, I adjourned for reasons outlined in my Interim Decision dated May 20, 2016. The landlord did not attend the reconvened hearing but both tenants did.

During the adjournment both parties submitted evidence as allowed in that Interim Decision. I note that in the landlord's submission she stated that she no longer wished "to go forward with the hearing".

However, as the hearing was adjourned Residential Tenancy Branch Rule of Procedure 7.10 requires mandatory attendance at the reconvened hearing. If a party does not attend the reconvened hearing at the scheduled time, the arbitrator may commence, continue and conclude the hearing. Pursuant to Rule 7.3, the arbitrator may issue a decision and order in the absence of a party.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for damage to the rental unit and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 67, and 72 of the *Residential Tenancy Act (Act)*.

Conclusion

In the absence of the applicant landlord, I dismiss the landlord's Application for Dispute Resolution in its entirety without leave 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: June 20, 2016

Residential Tenancy Branch