



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STONECLIFF PROPERTIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNSD

Introduction

This matter was set for hearing by telephone conference call at 2:30 p.m., in response to an Application for Dispute Resolution (the “Application”) made by the corporate Landlord on July 8, 2016.

The Landlord applied for a Monetary Order for damage to the rental unit, and for money owed or compensation for damage or loss under the *Manufactured Home Park Tenancy Act*, regulation and/or tenancy agreement.

I allowed the line to remain open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent Tenant and her legal advocate.

Analysis & Conclusion

The Residential Tenancy Branch 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 the Applicant Landlord did not appear and the Tenant appeared and was ready to proceed, I dismiss the Landlord’s Application **without** leave to reapply. This file is now closed.

The Tenant's legal advocate asked whether the Tenant's monetary claim for compensation for ending the tenancy could be dealt with in this hearing as detailed in their written evidence. As the Landlord failed to appear for the hearing and the Tenant had not made an Application for a monetary claim that was before me, I was unable to deal with this request in this hearing. However, the Tenant is at liberty to make an Application within the time limits provided for by the *Manufactured Home Park Tenancy Act* and have her claim decided upon.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: January 10, 2017

Residential Tenancy Branch