



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding avlal Vista Apartments
and [tenant name suppsed to protect privacy]

DECISION

Dispute Codes:

MNDC

Introduction:

This hearing was convened in response to an Application for Dispute Resolution filed by the Tenant in which the Tenant applied for a monetary Order for money owed or compensation for damage or loss.

Issue(s) to be Decided:

Is the Tenant entitled to compensation for noise disturbances?

Background and Evidence

Section 61 of the *Residential Tenancy Act (Act)* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates 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.

This hearing was scheduled to commence at 2:30 p.m. on August 01, 2017, I dialed into the teleconference at 2:30 p.m. and monitored the teleconference until 2:41 p.m. Neither the Applicant nor the Respondent dialed into the teleconference during this time.

Analysis

I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application with leave to reapply, as I have not made any findings of fact or law with respect to the 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 *Act*.

Dated: August 02, 2017

Residential Tenancy Branch