



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNDC, FF, SS

Introduction

This matter was set for hearing by telephone conference call at 1:00 p.m., in response to the Landlord's Application for Dispute Resolution (the "Application") requesting a Monetary Order, to recover the filing fee, and an Order for Substituted Service. The telephone line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. However, I noted that in a decision made under this same file number on March 31, 2017, an Adjudicator had dismissed the Landlord's request for a Substituted Service Order.

Analysis & Conclusion

Rule 7.3 of the Rules of Procedure states 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. As neither party called into the hearing by 1:10 p.m., I find the Landlord has not presented the merits of this Application which is hereby dismissed. The Landlord may reapply if the Tenants can be served pursuant to the *Residential Tenancy Act* (the "Act"). I have not extended any applicable time limits under the Act and I have made 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 Act.

Dated: September 14, 2017

Residential Tenancy Branch