Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNR, O

Introduction

This matter was set for hearing by telephone conference call at 11:00 a.m., in response to an Application for Dispute Resolution (the "Application") made by the Tenant to cancel a notice to end tenancy for unpaid rent, and for "Other" issues. The line remained open while the phone system was monitored and the only participant who called into the hearing during this time was the Landlord. The Landlord explained that the Tenant had moved out of the rental unit and she was now seeking to recover unpaid rent from the Tenant.

Analysis & Conclusion

Rule 7.3 of the Residential Tenancy Branch 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 the Tenant did not appear for this hearing and the Landlord appeared and was ready to proceed with the Application, I dismissed the Tenant's Application without leave to reapply. In order to recover unpaid rent and other losses, the Landlord is at liberty to file an Application for a monetary claim against the Tenant. 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: September 20, 2017

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Residential Tenancy Branch