



# Dispute Resolution Services

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## Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding PORT ROYAL VILLAGE DEVELOPMENTS INC.  
and [tenant name suppressed to protect privacy]

### DECISION

Dispute Codes MNDC, MNSD, FF

#### Introduction

This hearing dealt with the tenant's application under the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- authorization to recover the security deposit pursuant to section 38; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

This matter was set for a face-to-face hearing at 1:30 pm on this date in Burnaby. The only participant who attended the Residential Tenancy Branch to participate in the hearing was the respondent's agent.

Rule 7.3 of the Rules of Procedure provides as follows:

**7.3 Consequences of not attending the hearing** – 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 reapply.

Therefore, as the applicant did not attend the hearing while the respondent and arbitrator waited until 1:50pm, 20 minutes past the scheduled starting time of the hearing, in accordance with Rules of Procedure 7.3, I dismiss the tenant's claim 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: November 8, 2017

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Residential Tenancy Branch