



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL, MNRL, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) that was filed by the Landlord under the *Residential Tenancy Act* (the “Act”), seeking a Monetary Order for unpaid rent, loss of rent, and recovery of the filing fee.

The hearing was convened by telephone conference call and was attended by the Tenants, who appeared on-time and ready to proceed. The Landlord did not attend. Both Tenants provided affirmed testimony and were given the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all evidence and testimony before me that was accepted for consideration in this matter in accordance with the Residential Tenancy Branch Rules of Procedure (the “Rules of Procedure”). However, I refer only to the relevant facts and issues in this decision.

At the request of the Tenants, copies of the decision will be mailed to each of them at the address provided.

Issue(s) to be Decided

Is the Landlord entitled to a Monetary Order for unpaid rent, loss of rent, and recovery of the filing fee?

Background and Evidence

The Landlord applied for a Monetary Order for unpaid rent, loss of rent, and recovery of the filing fee; however, they did not appear at the hearing of their own Application to provide any evidence or testimony for my consideration. The Tenants’ disputed that the Landlord is entitled to this compensation as they failed to act reasonably to mitigate the loss of rent.

Analysis

As the Landlord failed to attend the hearing to present any evidence or testimony in support of their Application, their Application seeking a Monetary Order for unpaid rent, loss of rent, and recovery of the filing fee is dismissed without leave to reapply.

Conclusion

The Landlord's Application is dismissed in its entirety 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: April 30, 2018

Residential Tenancy Branch