



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) that was filed by the Tenant under the *Residential Tenancy Act* (the “Act”), seeking a Monetary Order for money owed or damage or loss under the Act, regulation, or tenancy agreement and recovery of the filing fee.

This matter was set for hearing by telephone conference call at 1:30 P.M. (Pacific Time) on June 7, 2018. At 1:30 P.M. I joined the conference call and neither party was present. The line remained open while the phone system was monitored and at approximately 1:35 P.M. the agent for the Landlord (the “Agent”), who is the respondent in this matter, joined the conference call. Although the line remained open while the phone system was monitored for an additional seven minutes, the Applicant did not appear.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure (the “Rules of Procedure”) states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. As I attended the hearing on time and ready to proceed and there was no evidence before me that the parties had agreed to reschedule or adjourn the matter, I commenced the hearing as scheduled at 1:30 P.M. on June 7, 2018. Rule 7.3 of the Rules of Procedure states that 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. Although the Agent attended the hearing approximately five minutes late, the Agent and I waited on the line until 1:42 P.M., however, neither the Tenant nor an agent for the Tenant appeared. As a result, and pursuant to rule 7.3 of the Rules of Procedure, I dismiss the Tenant’s claim without leave to reapply.

At the request of the Agent, copies of the decision will be e-mailed to them at the e-mail address provided in the hearing.

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: June 7, 2018

Residential Tenancy Branch