



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDCL-S, MNRL-S, FFL

### Introduction

On June 13, 2018, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) to obtain a Monetary Order for damages and for unpaid rent and to claim reimbursement for the filing fee. The matter was set for a participatory hearing via conference call.

### Preliminary Matters

This hearing was scheduled for a conference call hearing on this date.

Rule 7.1 of the *Residential Tenancy Branch - Rules of Procedure* stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the Application, with or without leave to re-apply.

This hearing was scheduled to commence at 1:30 p.m. on September 6, 2018. I dialed into the teleconference at 1:30 p.m. and monitored the teleconference until 1:40 p.m. Neither the Applicant nor the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

### Analysis

When both the Applicant and the Respondents do not attend the hearing, my practice is to wait until the next day before submitting my Decision. Prior to submitting my Decision, I checked the audit notes for this file and noted that the Landlord had called

into the Residential Tenancy Branch right after the hearing time to state that they had attempted to call into the hearing, but called the wrong number. Rather than finding that this Application for Dispute Resolution has been abandoned, I dismiss the Application with leave to reapply.

### Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the Legislation. I have not made any findings of fact or law with respect to the 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 *Residential Tenancy Act*.

Dated: September 06, 2018

---

Residential Tenancy Branch