



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL FFL

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order damages and loss pursuant to section 67; and
- authorization to recover the filing fee from the tenant pursuant to section 72.

This matter was set for hearing by telephone conference call at 1:30 pm. on this date. The line remained open while the phone system was monitored for fifteen minutes. The only participant who called into the hearing was the respondent. A party to a separate hearing called in at the during this time but disconnected when they were informed that this teleconference hearing was not for their application.

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 by 1:40 pm, and the respondent appeared and was ready to proceed, I dismiss the claim 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: September 7, 2018

Residential Tenancy Branch