



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1140375 BC LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, MNR, FF

On August 17, 2018 a hearing was conducted via conference call between these two parties. The landlord attended, but the tenant did not. The landlord requested an order of possession for unpaid rent and for cause and a monetary order for unpaid rent and recovery of the filing fee. The landlord was granted an order of possession and a monetary order. The tenant applied for a review of this decision. The arbitrator confirmed the order of possession and suspended the monetary order pending a review hearing for the landlords' application.

This is a review hearing granted for the landlords' application pursuant to the *Residential Tenancy Act* (the Act) for:

- a monetary order for unpaid rent and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to recover its filing fee for this application from the tenant pursuant to section 72.

Pursuant to sections 58 and 82 of the *Act*, I was designated to conduct a new hearing of the landlord's application. This matter was set for a conference call hearing at 11:00 a.m. on this date. Both parties failed to attend the hearing by way of conference call. Neither party attended at the appointed time set for the hearing, although I waited until 11:15 a.m. to enable them to participate in this hearing scheduled for 11:00 a.m.

Rule 7 of the Rules of Procedure provides that:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.2 Delay in the start of a hearing

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

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 re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Accordingly, in the absence of anyone attending this hearing and in accordance with section 82(3) of the *Act*, I confirm the original decision and Orders.

Conclusion

The original decision and Order of August 17, 2018 are confirmed.

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: October 26, 2018

Residential Tenancy Branch