



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, FFT

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenant seeking remedy under the *Residential Tenancy Act* (“Act”) for a monetary order in the amount of \$7,500.00 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenant was provided with a copy of the Notice of a Dispute Resolution Hearing dated August 28, 2018. The tenant; however, did not attend the teleconference hearing scheduled for Thursday, December 20, 2018 at 1:30 p.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the respondent landlord, CK (“landlord”) who indicated that he was ready to proceed. The landlord stated that he heard that the tenant passed away; however, there was no agent on the line for the tenant to confirm that information.

The landlord stated that the tenant made a spelling error in the landlord’s first name and surname. As a result, both names have been corrected in accordance with section 64(3) of the *Act*.

Following the ten minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant or an agent for the tenant failed to attend the hearing to present the merits of their application. The landlord did attend the hearing and was ready to proceed.

I do not grant the tenant the recovery of the cost of the filing fee as result of the above.

Conclusion

The tenant's application is dismissed without leave to reapply as the tenant or an agent for the tenant did not attend the hearing to present the merits of the application. The respondent landlord did attend the hearing.

This decision does not extend any applicable time limits under the *Act*.

The filing fee is not granted as the application has been dismissed.

This decision will be emailed to the email address provided by the landlord during the hearing. The decision will be sent by regular mail to the tenant's address listed on the application.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: December 21, 2018

Residential Tenancy Branch