



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL-S, MNDL-S, MNRL-S

Introduction

On October 17, 2018, the Landlord filed an Application for Dispute Resolution under the *Residential Tenancy Act* ("the *Act*") for a monetary order to recover unpaid rent, for compensation under the *Act*, for compensation for damages for the Landlord, and for permission to retain the security deposit. The matter was set for a conference call.

The Tenant attended the conference call hearing; however, the Landlord did not. As the Landlord is the applicants in this hearing, I find that the Landlord had been duly notified of the Notice of Hearing in accordance with the *Act*.

The Tenant was affirmed to be truthful in his testimony and was provided with the opportunity to present his evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision

Issues to be Decided

- Is the Landlord entitled to a monetary order for unpaid rent?
- Is the Landlord entitled to monetary compensation for damages under the *Act*?
- Is the Landlord entitled to retain the security deposit?
- Is the Landlord entitled to the return for their filing fee for this application?

Background and Evidence

This hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. Rule 7.3 of the Rules of Procedure stipulates that an 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.

I called into the hearing, and the line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Tenant. Therefore, as the Landlord did not attend the hearing by 1:40 p.m. and the Tenant appeared and was ready to proceed, I dismiss the Landlord's application without leave to reapply.

Analysis

I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Landlord's Application for Dispute Resolution 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: February 22, 2019

Residential Tenancy Branch