



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DARWIN CONSTRUCTION and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes FFT, MNDCT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants on December 13, 2018 (the "Application"). The Tenants applied for compensation for monetary loss or other money owed and reimbursement for the filing fee.

D.W. and M.B. appeared at the hearing for the Landlord. D.W. advised of the correct name of the Landlord and this is reflected in the style of cause.

The Tenants did not call into the hearing. I waited 10 minutes, until 1:40 p.m., to allow someone for the Tenants to call into the hearing which was scheduled for 1:30 p.m. Nobody called in for the Tenants.

Rule 7.3 of the Rules of Procedure states:

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.

Here, nobody attended the hearing for the Tenants to present evidence or a basis for the Application. The Application is therefore dismissed without leave to re-apply.

Conclusion

The Application is dismissed without leave to re-apply as the Tenants failed to attend the hearing.

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: April 08, 2019

Residential Tenancy Branch