



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding P & E Enterprises Ltd.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      MNDL, FFL

### Introduction

The landlord seeks compensation from the tenant under section 67 of the *Residential Tenancy Act* (the “Act”), and recovery of the filing fee under section 72 of the Act.

The landlord applied for dispute resolution on January 4, 2019. A dispute resolution hearing was held on May 2, 2019, and the tenant and two advocates attended the hearing. The landlord did not attend.

### Issues

1. Is the landlord entitled to compensation under section 67 of the Act?
2. Is the landlord entitled to recovery of the filing under section 72 of the Act?

### Background and Evidence

The hearing commenced at 1:30 PM and ended at 1:40 PM. The landlord did not participate in the hearing nor was there any information indicating why he did not attend.

### Analysis

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

Given that the landlord failed to attend the hearing and prove his case, I dismiss his application without leave to reapply.

Conclusion

I hereby dismiss the landlord's application 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 Act.

Dated: May 2, 2019

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Residential Tenancy Branch