



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (“Application”) by the Tenants seeking remedy under the *Residential Tenancy Act* (“Act”) for a monetary order in the amount of \$2,500.00 for monetary loss or other money owed.

The Landlord was provided with a copy of the Notice of a Dispute Resolution Hearing on July 8, 2019 via email from the Residential Tenancy Branch (“RTB”); the Landlord said she was not served with anything by the Tenants. Further, the Tenants did not attend the teleconference hearing scheduled for Thursday, August 8, 2019 at 1:30 p.m. (Pacific Time). The phone line remained open for 17 minutes and was monitored throughout this time. The only person to call into the hearing was the respondent Landlord, G.B., who indicated that she was ready to proceed.

Rule 7.1 of the RTB Rules of Procedure (“Rules”) states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the Arbitrator. The Respondent Landlord and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 1:30 p.m. on August 8, 2019, as scheduled.

Rule 7.3 of the Rules of Procedure states that 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 reapply.

The teleconference line remained open for 17 minutes; however, neither the Applicants nor an Agent acting on their behalf attended to provide any evidence or testimony for my consideration. Further, the Tenants did not serve the Landlord with a copy of the Application within three days of applying, nor did the Tenants serve the Landlord with any submitted evidence.

As a result, and pursuant to Rule 7.3, I dismiss the Tenants’ Application without leave to reapply.

Conclusion

The Tenants' Application is dismissed without leave to reapply, as the Tenants or an Agent for the Tenants did not attend the hearing to present the merits of the Application. The Respondent Landlord did attend the hearing and was ready to proceed.

In addition, the Tenants did not serve the Landlord with the Application or any documentary evidence, contrary to the Act.

This decision will be emailed to the address provided by the Landlord during the hearing and to the email address provided by the Tenants in 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: August 09, 2019

Residential Tenancy Branch