



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCT, OLC, FFT

### Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on September 18, 2019, wherein the Tenant sought monetary compensation from the Landlord, an Order that the Landlord comply with the *Residential Tenancy Agreement*, the *Residential Tenancy Regulation* and the residential tenancy agreement as well as recovery of the filing fee.

The hearing of the Tenant's Application was scheduled for 11:00 a.m. on November 22, 2019. The line remained open until 11:11 a.m. and the only participant who called into the hearing during this time was the Respondent Landlord. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Respondent and I were the only ones who had called into this teleconference.

The Landlord informed that the Tenant vacated the rental unit on October 31, 2019.

### Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

#### **Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

#### **Consequences of not attending the hearing**

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.

The Tenant bears the burden of proving her claim on a balance of probabilities. As the Tenant did not call into the hearing by 11:11 a.m., and the Landlord appeared and was ready to proceed, I **dismiss the Tenant's claim without leave to reapply.**

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: November 22, 2019

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Residential Tenancy Branch