



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RPP

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (the Act) for a monetary order in the amount of \$2,000.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and for the return of the tenant's personal property.

The tenant was provided with a copy of the Notice of a Dispute Resolution Proceeding dated September 26, 2019. The tenant however, did not attend the teleconference hearing set for this date, Thursday, December 5, 2019 at 11:00 a.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the landlord who indicated that they were ready to proceed. I have confirmed that file records support that the tenant did not make any attempt to cancel the hearing prior to the hearing.

As per Rule 7.1 and 7.3 of the Residential Tenancy Branch Rules of Procedure, following the ten-minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant failed to attend the hearing to present the merits of their application or at the very least cancel their scheduled hearing in advance of the hearing. The landlord did attend the hearing and was ready to proceed.

I do not grant the tenant the recovery of the cost of the filing fee as result of the above.

Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to both parties at the email address provided by the tenant in their application and the email address confirmed by the landlord during the hearing.

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: December 5, 2019

Residential Tenancy Branch