



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding TOP PRODUCERS REALTY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCT, OLC, LRE, LAT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- a monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement, pursuant to section 67;
- an order requiring the landlord to comply with the *Act*, *Regulation* or tenancy agreement, pursuant to section 62;
- an order restricting the landlord's right to enter the unit, pursuant to section 70;
- authorization to change the locks to the unit, pursuant to section 70.

While the landlord's agent, KG and the landlord owner, MA attended the hearing by way of conference call, the applicant tenant did not, although I waited until 9:40 a.m. in order to enable the tenant to connect with this teleconference hearing scheduled for 9:30 a.m.

The landlord owner confirmed that he owned the rental unit and that his agent had permission to speak on his behalf. The landlord's agent confirmed that she was the property manager for the landlord company named in this application and that she had permission to speak on its behalf.

The landlord's agent confirmed receipt of the tenant's application for dispute resolution hearing package. In accordance with sections 89 and 90 of the *Act*, I find that the landlord was duly served with the tenant's application.

Pursuant to section 64(3)(c) of the *Act*, I amend the tenant's application to correct the spelling of the landlord company name. The landlord's agent consented to this

amendment during the hearing. I find no prejudice to the tenant in making this amendment.

Rule 7.3 of the Residential Tenancy Branch *Rules of Procedure* provides as follows:

*7.3 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.*

In the absence of any appearance by the tenant, I order the tenant's entire application dismissed 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 *Residential Tenancy Act*.

Dated: January 27, 2020

---

Residential Tenancy Branch