



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

CORRECTION DECISION

Dispute Codes FFL MNRL-S

Pursuant to section 58 of the *Residential Tenancy Act* (the “Act”), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- a monetary order for rent and/or utilities for the landlord – security deposit applied to the claim.
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

The tenants KM and JC attended the hearing and were advised that the application would be dismissed as the landlord had not attended the hearing.

This matter was set for hearing by telephone conference call at 1:30 p.m. on January 09, 2020. The line remained open while the phone system was monitored for ten minutes, the landlord failed to call into the hearing. The Notice of Hearing was confirmed to provide the correct phone numbers and access codes to call into the conference call.

Rule 7.3 of the 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 reapply.

Accordingly, the applicant landlord did not attend the hearing by 1:40 p.m. and **in the absence of any evidence or submissions, I order the application dismissed with leave to reapply.**

I order the landlord’s application to be dismissed without leave to reapply.

I make no findings on the merits of the matter. The issuance of this decision does not extend any applicable deadlines under the *Act*.

DECISION/ORDER AMENDED PURSUANT TO SECTION 78(1)(A) OF THE RESIDENTIAL TENANCY ACT ON JANUARY 13, 2020 AT THE PLACES INDICATED BY ~~STRIKETHROUGHS~~ AND UNDERLINES.

Dated: January 13, 2020

Residential Tenancy Branch