



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFL, MNRL

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Landlord on September 06, 2019 (the "Application"). The Landlord applied to recover unpaid rent and the filing fee.

The Tenant appeared at the hearing. The Landlord did not appear at the hearing. I waited until 1:40 p.m. to allow the Landlord to call into the hearing which was scheduled for 1:30 p.m. The Landlord did not do so. I confirmed from the teleconference system that the Tenant and I were the only people who had called into this teleconference. I asked if there was anybody on the line for the Landlord and nobody answered.

This is the Landlord's application and the Landlord has the onus to prove it pursuant to rule 6.6 of the Rules of Procedure (the "Rules").

Further, rule 7.3 of the Rules states:

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 Landlord did not submit any documentary evidence for the hearing. The Landlord did not attend the hearing to provide verbal testimony to support the claim. In the circumstances, and given rule 7.3 of the Rules, I dismiss the Application **without** leave to re-apply.

Conclusion

The Application is dismissed **without** leave to re-apply given the Landlord failed to attend the hearing.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: January 13, 2020

Residential Tenancy Branch