



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFT, MNDCT, MNRT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on September 23, 2019, in which the Tenant sought monetary compensation from the Landlord in the amount of \$14,439.69 and recovery of the filing fee.

The hearing of the Tenant's Application was scheduled for 1:30 p.m. on January 21, 2020. The line remained open until 1:44 p.m. and the only participant who called into the hearing during this time was the 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 Landlord and I were the only ones who had called into this teleconference.

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 his claim on a balance of probabilities. As the Tenant did not call into the hearing and the Landlord called in 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: January 21, 2020

Residential Tenancy Branch