



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **FFT, OLC, CNC**

Introduction

This hearing was scheduled to deal with joined applications filed by 3 separate tenants in common against their shared landlord pursuant to the *Residential Tenancy Act* ("Act").

The tenants each sought the following:

- Authorization to recover the filing fee for this application from the landlord pursuant to section 72;
- An order for the landlord to comply with the Act, Regulations and/or tenancy agreement pursuant to section 62;
- An order to cancel a One Month Notice to End Tenancy for Cause ("Notice") pursuant to section 47.

Neither the landlord nor any of the tenants attended at the appointed time set for the hearing, although I waited until 1:40 p.m. to enable them to participate in this hearing scheduled for 1:30 p.m. 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 monitoring system that I was the only person who had called into this teleconference.

The Residential Tenancy Branch Rules of Procedure state:

7.3 Commencement of the hearing: *The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

7.4 Evidence must be presented: *Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.*

Accordingly, **in the absence of any evidence or submissions I order each of the applications dismissed with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

Conclusion

As noted above, these Applications for Dispute Resolution are dismissed with 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: March 05, 2020

Residential Tenancy Branch