



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Devon Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNRL, MNDL, FFL

Introduction

The landlord seeks an order granting a monetary order for utilities and damages. The landlord also seeks an order that the tenant repay them for the cost of the dispute resolution filing fee. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on March 26, 2020.

The landlord completed the application for dispute resolution on February 13, 2020 and provided proof that they served the tenants with notice of this hearing and their evidence by Canada Post registered mail. The tenant attending the hearing confirmed that they received this on February 25, 2020.

The landlord did not attend the hearing, although I left the teleconference hearing connection open until 1:47 p.m. to enable the parties to call in to this teleconference 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 throughout the duration of the call that the landlord was not in attendance.

Rule 7.3 of the Rules of Procedure provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation for utilities and damages pursuant to section 67 of the *Act*?

Is the landlord entitled to recover the filing fee for this Application pursuant to section 72 of the *Act*?

Conclusion

In the absence of the applicant landlord I dismiss this Application for Dispute Resolution in its entirety and 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 *Act*.

Dated: April 7, 2020

Residential Tenancy Branch