



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PACIFICA HOUSING
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNDCT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on November 18, 2019, in which the Tenant sought monetary compensation in the amount of \$10,375.00 including return of her security deposit paid and compensation for personal items which she claims were removed by the Landlord.

The hearing of the Tenant's Application was originally scheduled for teleconference on March 30, 2020. Both parties called into the hearing on March 30, 2020.

At that time, the Landlord was represented by B.V., the Tenant Services Coordinator, and B.B., the Acting Manager of Tenant Services. The March 30, 2020 hearing was adjourned due to the late service of evidence by the Tenant. Aside from discussing this late evidence, I did not hear any testimony, or submission from either party with respect to the claim.

When the hearing reconvened at 9:30 a.m. on June 19, 2020 neither party called into the hearing. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. I also 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 I was the only person who had called into this teleconference.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides 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.

As neither party called into the hearing continuation by 9:40 a.m., I dismiss the Tenant's claim with leave to reapply. I note this does not extend any applicable time limits under the *Act*.

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: June 19, 2020

Residential Tenancy Branch