



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **FFL, MNRL-S, MNDL-S**

### Introduction

This hearing dealt with an application filed pursuant to the *Residential Tenancy Act* ("Act"). The applicant filed for:

- Authorization to recover the filing fee for this application from the respondent pursuant to section 72;
- A monetary order for rent and/or utilities and authorization to retain a security deposit pursuant to sections 38 and 67; and
- A monetary Order for Damages and authorization to retain a security deposit pursuant to sections 38 and 67.

Both respondents attended the hearing, the applicant did not. I left the teleconference hearing connection open until 1:40 p.m. to enable the landlord to call into 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 system that the respondents and I were the only ones who had called in.

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.*

The applicant did not attend the hearing at the scheduled time and did not present evidence regarding the merits of her claim for me to consider. Consequently, I dismiss the application without leave to reapply.

Conclusion

The application is dismissed 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 *Residential Tenancy Act*.

Dated: June 23, 2020

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Residential Tenancy Branch