



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LL: MNRL, FFL
 TT: MNDCT, MNSD, FFT

Introduction

This reconvened hearing dealt with applications from both the landlord and tenants pursuant to the *Residential Tenancy Act* (the “Act”).

The landlord applied for:

- A monetary award for damages and loss pursuant to section 67; and
- Authorization to recover the filing fee from the tenant pursuant to section 72.

The tenant applied for:

- A monetary award for damages and loss pursuant to section 67;
- Authorization to recover the security deposit pursuant to section 38; and
- Authorization to recover the filing fee from the landlord pursuant to section 72.

Neither party attended the hearing which was scheduled for 9:30am on October 30, 2020. A representative of the landlords attended but said they had limited instructions to simply request an adjournment. The representative provided no information on the reasons why an adjournment was being sought.

Rule 7.9 of the Rules of Procedure outlines some of the factors to be considered when a party makes a request for an adjournment. I find the present request to be so bereft of any cogent details or information that I am unable to find any of the criteria for an adjournment is met. I therefore decline to adjourn I decline to grant an adjournment.

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 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 reapply.

Accordingly, as neither party attended the hearing by 9:45am and **in the absence of any evidence or submissions I order the application dismissed without leave to reapply**. I make no findings on the merits of the matter. The issuance of this decision does not extend any applicable deadlines under the Act.

Conclusion

Both the tenant's and landlords' applications are dismissed in its entirety 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: October 30, 2020

Residential Tenancy Branch