



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT

Introduction

The tenant filed an Application for Dispute Resolution (the “Application”) on August 2, 2020 seeking to recover compensation for damages. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on November 23, 2020. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The party attending the hearing, so named as the “Landlord” by the tenant on their Application, stated they received no notice of this hearing. They only received a reminder of the pending hearing on the prior business day. The tenant provided no documentary evidence in advance of the hearing, and no notice of the hearing within the time limit specified in the Residential Tenancy Branch Rules of Procedure. The landlord is free to make further inquiry to this office to ascertain the nature of the issue.

The tenant did not attend the hearing, although I left the teleconference hearing connection open until 1:41 p.m. to enable them 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 tenant 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 tenant entitled to a Monetary Order for Damage or Compensation pursuant to section 67 of the *Act*?

Conclusion

In the absence of the applicant tenant 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: November 23, 2020

Residential Tenancy Branch