



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, FFT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on August 25, 2020, wherein the Tenant requested monetary compensation from the Landlord as well as recovery of the filing fee.

The hearing of the Tenant's Application was scheduled for 9:30 a.m. on November 30, 2020. The line remained open until 9:43 a.m. and the only participants who called into the hearing during this time was the Respondent Landlord, and her Property Assistant, K.K. 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 Landlord and K.K. and I were the only ones who had called into this teleconference.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide 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 the Applicant, the Tenants bear the burden of proving their claim on a balance of probabilities. As the Tenants did not call into the hearing by 9:43 a.m., and the Landlord

called in and was ready to proceed, I dismiss the Tenants' claim without leave to reapply.

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: November 30, 2020

Residential Tenancy Branch