



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

Introduction

This hearing was scheduled to deal with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- A monetary order for rent and/or utilities and authorization to retain a security deposit pursuant to sections 38 and 67;
- An order for compensation for monetary loss or other money owed pursuant to section 67; and
- Authorization to recover the filing fees from the tenant pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 1:40 p.m. to enable them to participate in 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 monitoring system that I was the only person who had called into this teleconference.

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.*

Accordingly, **in the absence of the presentation of any evidence or submissions I order the application be dismissed with leave to reapply.** I make no findings on the

merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

Conclusion

As noted above, this Application for Dispute Resolution is dismissed with 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: January 04, 2021

Residential Tenancy Branch