



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding M&F HORNE HOLDINGS LTD. and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDL, MNDCL, FFL

Introduction

In this dispute, the landlord sought compensation from its former tenant pursuant to section 67 of the *Residential Tenancy Act* ("Act"). In addition, the landlord sought compensation to recoup the cost of the filing fee, under section 72 of the Act.

A hearing was held, by way of teleconference, on April 26, 2021 at 1:30 PM. The tenant attended the hearing, while the landlord did not. The hearing ended at 1:40 PM.

Preliminary Issue: Non-Attendance of Landlord and the Onus of Proof

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim. As the landlord did not attend the hearing, it follows, then, that they have not proven their case.

Given the above, I dismiss the landlord's application without leave to reapply.

This decision is made on authority delegated to me under section 9.1(1) of the Act.

Dated: April 26, 2021

Residential Tenancy Branch