



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LEWIS STREET APARTMENTS, COAST CLAIMS INSURANCE
SERVICES, BROWN BROS AGENCIES LTDect privacy]

DECISION

Dispute Codes:

MNDCT, RPP

Introduction:

This hearing was convened in response to an Application for Dispute Resolution filed by the Tenant in which the Tenant applied for a monetary Order for money owed or compensation for damage or loss and for an Order requiring the Landlord to return personal property.

Issue(s) to be Decided:

Is the Tenant entitled to compensation for lost/damaged property?
Is there a need to issue an Order requiring the Landlord to return personal property?

Background and Evidence

Section 61 of the *Residential Tenancy Act (Act)* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates that 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 decide or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 9:30 a.m. on June 22, 2020. I dialed into the teleconference at 9:30 a.m. All of the parties named on the first page of this decision had joined the teleconference prior to the scheduled start time of the hearing.

I monitored the teleconference until 9:44 a.m. The Tenant did not attend the teleconference prior to the teleconference being terminated at 9:44 a.m.

Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application for Dispute Resolution, without leave to reapply.

Conclusion

The Application for Dispute Resolution is dismissed, 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: June 22, 2021

Residential Tenancy Branch