



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LEWIS STREET APARTMENTS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

MNDCT, RPP

Introduction and Preliminary Matters

On February 25, 2021, the Tenant made an Application for Dispute Resolution seeking a Monetary Order for compensation pursuant to Section 67 of the *Residential Tenancy Act* (the “Act”) and seeking a return of personal property pursuant to Section 65 of the *Act*.

On March 19, 2021, this Application was set down for a hearing on July 5, 2021 at 9:30 AM.

The Tenant did not attend at any point during the 14-minute teleconference hearing. I.G. attended the hearing as the owner of the rental unit. R.G. and E.H. attended the hearing as agents for the Landlord. As well, P.C. attended the hearing as counsel for the Landlord. P.C. advised that three of the named Respondents were not the Landlord and were mistakenly identified by the Tenant as such. Consequently, the Style of Cause on the first page of this Decision has been amended to reflect this.

Rule 7.1 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 make a Decision or dismiss the Application, with or without leave to re-apply.

I dialed into the teleconference at 9:30 AM and monitored the teleconference until 9:44 AM. Only the owner, his agents, and his counsel dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I confirmed during the hearing that the Applicant did not dial in and I also confirmed from the teleconference system that the only parties who had called into this teleconference were from the Respondent’s side.

As the Tenant did not attend the hearing, I dismiss this Application without leave to reapply.

Conclusion

I dismiss the Tenant's Application for Dispute Resolution 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 *Residential Tenancy Act*.

Dated: July 5, 2021

Residential Tenancy Branch