



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL, FFL

Introduction and Preliminary Matters

On February 12, 2021, the Landlord 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 to recover the filing fee pursuant to Section 72 of the *Act*.

On February 23, 2021, this Application was set down for a hearing on July 2, 2021 at 1:30 PM.

Tenant C.A. attended the hearing; however, the Landlord did not make an appearance at any point during the 11-minute teleconference call.

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 1:30 PM and monitored the teleconference until 1:41 PM. The Applicant did not dial 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 also confirmed from the teleconference system that Respondent C.A. was the only person who had called into this teleconference.

As the Landlord did not attend the hearing by 1:41 PM, I find that the Application for Dispute Resolution has been abandoned.

As the Landlord has not attended the hearing, I am not satisfied that the Landlord has sufficiently established her claims. As a result, I dismiss her claims in their entirety. Moreover, as the Landlord was not successful in this Application, I find that she is not entitled to recover the \$100.00 filing fee paid for this Application.

Conclusion

The Landlord's Application 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 *Residential Tenancy Act*.

Dated: July 2, 2021

Residential Tenancy Branch