



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNETC, FFT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants on February 19, 2021 (the "Application"). The Tenants applied for compensation from the Landlord related to a Notice to End Tenancy for Landlord's Use of Property and to recover the filing fee.

Legal Counsel for the Landlord appeared at the hearing. Nobody appeared at the hearing for the Tenants.

Legal Counsel advised that this matter has been resolved and the Tenants intended to withdraw the Application.

I waited 10 minutes for the Tenants to call into the hearing; however, the Tenants did not call into the hearing.

I could not consider the Application withdrawn given the Tenants did not attend the hearing to withdraw their Application.

Rule 7.3 of the Rules of Procedure states:

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

Given the Tenants did not attend the hearing, the Application is dismissed without leave to re-apply.

Conclusion

The Application is dismissed without leave to re-apply.

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 09, 2021

Residential Tenancy Branch