



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC MT MNDCT OLC LRE FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (application) by the tenants seeking remedy under the *Residential Tenancy Act* (Act) for a monetary order in the amount of \$1,445.00 for compensation or money owed under the Act, regulation or tenancy agreement, for more time to make an application to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice), to cancel a 1 Month Notice, for an order directing the landlords to comply with the Act, regulation or tenancy agreement, for an order to suspend or set limits on the landlords' right to enter the rental unit or site, and to recover the cost of the filing fee.

The tenants were provided with a copy of the Notice of a Dispute Resolution Proceeding dated May 11, 2021 (Notice of Hearing) when they made their application. The tenants, however, did not attend the hearing set for this date, Thursday, September 2, 2021 at 11:00 a.m. Pacific Standard Time. The phone line remained open for 20 minutes and was monitored throughout this time. The only person to call into the hearing was landlord KH (landlord) who indicated they were ready to proceed.

Conclusion

Residential Tenancy Branch (RTB) Rules of Procedure (Rules) 7.1 and 7.3 apply and state:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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 above and following the 10-minute waiting period, the application of the tenants was **dismissed without leave to reapply**. This decision does not extend any applicable time limits under the Act.

The filing fee is not granted as the applicants failed to attend the hearing to present the merits of their application and did not cancel the hearing in advance.

This decision will be emailed to both parties at the email addresses confirmed by the landlord and provided in the tenants' application.

The landlord confirmed that they did not require an order of possession as the tenants vacated the rental unit on April 30, 2021.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: September 2, 2021

Residential Tenancy Branch