



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDL MNRL-S FFL

### Introduction

This hearing dealt with an Application for Dispute Resolution (application) by the landlord seeking remedy under the *Residential Tenancy Act* (Act) for a monetary claim of \$4,627.20 for unpaid rent or utilities, for damage to the unit, site or property, to offset any amount owing with the security deposit, and to recover the cost of the filing fee.

The landlord was provided with a copy of the Notice of a Dispute Resolution Proceeding dated May 5, 2021 (Notice of Hearing) when they made their application. The landlord; however, did not attend the hearing set for this date, Tuesday, October 26, 2021 at 1:30 p.m. Pacific Standard Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the tenant.

### Analysis

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 landlord 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 landlord did not attend the hearing to present the merits of their claim.

The tenant confirmed they have not yet provided the landlord with their written forwarding address as of the date of the hearing. The tenant vacated the rental unit on March 20, 2021.

### Conclusion

The landlord's application is dismissed without leave to reapply.

The filing fee is not granted as noted above.

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

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: October 26, 2021

---

Residential Tenancy Branch