



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Sterling Management Services
Ltd and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **MNDCT**

Introduction

This hearing dealt with an application filed by the tenant pursuant the *Residential Tenancy Act* (the “Act”) for a monetary order for damages or compensation pursuant section 67.

The applicant/tenants did not attend this hearing, although I left the teleconference hearing connection open until 1:40 p.m. to enable the tenants to call into this teleconference hearing scheduled for 1:30 p.m. 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 the landlord and I were the only ones who had called into this teleconference.

The landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. The landlord acknowledged being served with the tenants’ Application for Dispute Resolution Proceedings Package and stated she had no concerns with timely service of documents.

Analysis

Rule 7.3 of the Rules of Procedure also provides that 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.

The tenant did not attend the hearing which was scheduled by conference call at 1:30 p.m. and concluded at 1:40 p.m. As they did not attend, they did not present evidence regarding the merits of their application for me to consider. Pursuant to rule 7.3, I dismiss the tenant’s application without leave to reapply.

Conclusion

The 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: December 06, 2021

Residential Tenancy Branch