



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 3 BBB GROUP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPT FFT

Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Manufactured Home Park Tenancy Act* (Act). The tenant applied for an order of possession for the tenant and to recover the cost of the filing fee.

The tenant was provided with a copy of the Notice of a Dispute Resolution Hearing dated November 16, 2021. The tenant, however, did not attend the hearing set for this date, December 9, 2021 at 9:30 a.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only persons to call into the hearing were the agents for the landlord company, AB and BB (agents).

Preliminary and Procedural Matters

The agents were informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The agents were also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the agents were informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. The agents did not have any questions about my direction pursuant to RTB Rule 6.11.

In addition, the agents confirmed their email address and were advised that the decision would be emailed to them.

After the 10-minute waiting period, the tenant's application was **dismissed without leave to reapply** in accordance with Rule 7.1 and Rule 7.3 of the Residential Tenancy

Branch (RTB) Rules of Procedure (Rules), which address consequences for not attending a dispute resolution hearing.

As the tenant's application was dismissed in full, I do not grant the filing fee.

Conclusion

The application is dismissed without leave to reapply as the tenant did not attend the hearing to present the merits of their application.

I do not grant the filing fee as noted above.

This decision will be emailed to both parties at the email addresses provided by the tenant in the application.

This decision is final and binding on the parties, unless 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 *Manufactured Home Park Tenancy Act*.

Dated: December 9, 2021

Residential Tenancy Branch