



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HOYT VENTURES INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNRL, MNDL-S, MNDCL, FFL

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act"), for a monetary order for unpaid rent of \$1,100.00; for a monetary order of \$3,900.00 for damage or compensation under the Act; for a monetary order of \$4,893.94 for damages for the Landlord, retaining the security deposit to apply to the claim; and to recover the \$100.00 cost of his Application filing fee.

The Landlord was provided with a copy of the Notice of a Dispute Resolution Hearing on October 20, 2022; however, the Landlord did not attend the teleconference hearing scheduled for June 10, 2022, at 1:30 p.m. (Pacific Time). The phone line remained open for over ten minutes and was monitored throughout this time. The only person to call into the hearing was the respondent Tenant, who indicated that she was ready to proceed.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure ("Rules") states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Respondent Tenant and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 1:30 p.m. on June 10, 2022, as scheduled.

Rule 7.3 states 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 reapply. The teleconference line remained open for minutes, however, neither the Applicant nor an agent acting on his behalf attended to provide any evidence or testimony for my consideration. As a result, and pursuant to Rule 7.3, I **dismiss the Landlord's Application without leave to reapply.**

Conclusion

The Landlord's Application is dismissed without leave to reapply, as the Landlord or an Agent for the Landlord did not attend the hearing to present the merits of the Application. The Respondent Tenant did attend the hearing.

This Decision does not extend any applicable time limits under the Act.

This Decision will be emailed to the address confirmed by the Tenant in the hearing, and provided by the Landlord in his Application.

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: June 10, 2022

Residential Tenancy Branch