



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDL-S, MNDCL, MNRL, FFL

### Introduction, Preliminary and Procedural Matters-

This hearing convened as the result of the landlord's application for dispute resolution seeking remedy under the Residential Tenancy Act (Act) for:

- compensation for alleged damage to the rental unit by the tenant;
- compensation for a monetary loss or other money owed;
- a monetary order for unpaid rent;
- authority to keep the tenant's security deposit to use against a monetary award; and
- recovery of the cost of the filing fee.

The hearing began at 1:30 p.m. Pacific Time on Tuesday, June 14, 2022 as scheduled, and the telephone system remained open and was monitored for 17 minutes. During this time, neither party attended. I confirmed that the conference codes were correct and that I was the only person on the teleconference line for the entire 17 minutes.

The Residential Tenancy Branch Rules of Procedure (Rules) provide as follows:

**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.

**7.4 Evidence must be presented.** Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Accordingly, in the absence of either party to present their evidence at the hearing, **I order the application dismissed with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

As I have not considered the merits of the application, the request to recover the filing fee 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*. Pursuant to section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: June 14, 2022

---

Residential Tenancy Branch