



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNETC, FF

Introduction, Preliminary and Procedural Matters-

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution seeking remedy under the Residential Tenancy Act (Act) for compensation from the landlord related to a Two Month Notice to End Tenancy for Landlord's Use of Property (Notice) and recovery of the cost of the filing fee.

The hearing began at 1:30 p.m. Pacific Time on Thursday, June 30, 2022 as scheduled and the telephone system remained open and was monitored for 12 minutes. During this time, the tenant did not call into the hearing; however, the landlord and the landlord's agent/interpreter were present and ready to proceed with the hearing.

I continued the hearing for 12 minutes, in order to allow the tenant to call into the hearing.

Rules 7.3 and 7.4 of the Rules of Procedure provides 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 any evidence or submissions from the applicant at the hearing, **I order** the application **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 30, 2022

Residential Tenancy Branch