



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RPP

Introduction

The Tenants seek an order pursuant to s. 65 of the *Residential Tenancy Act* (the “Act”) for the return of personal property.

G.K. appeared as agent for the Landlord. The Tenants did not appear, nor did someone appear on their behalf.

The Landlord’s agent affirmed to tell the truth at the hearing.

Pursuant to Rule 7.1 of the Rules of Procedure, the hearing began as scheduled in the Notice of Dispute Resolution at 9:30 AM on October 31, 2022. I confirmed that the correct dial-in numbers and codes were provided within the Notice of Dispute Resolution.

Rule 7.3 of the Rules of Procedure states:

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.

As the Tenants did not attend the hearing, it was conducted in their absence. After waiting on the line with the Landlord’s, the hearing concluded at 9:40 AM without submissions from either party on the substantive issues in the Tenants’ application.

As is made clear by Rule 6.6 of the Rules of Procedure, the Tenants, as the applicants, bear the onus of proving their claim on a balance of probabilities. By failing to attend the hearing to make submissions in support of their application, I find that the Tenants have failed to prove their claim. I hereby dismiss their application 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: October 31, 2022

Residential Tenancy Branch