



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PROSPERO INTERNATIONAL
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **MNDCT, DRI, FFT**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the "Act") for:

1. An Order to dispute a rent increase that is above the amount allowed by law pursuant to Sections 36 and 55 of the Act;
2. An Order for compensation for a monetary loss or other money owed pursuant to Section 60 of the Act; and,
3. Recovery of the application filing fee pursuant to Section 65 of the Act.

The hearing was conducted via teleconference. The Tenant's Legal Advocate attended the hearing at the appointed date and time and provided submissions. The Landlord did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Tenant's Legal Advocate and I were the only ones who had called into this teleconference. The Tenant's Legal Advocate was given a full opportunity to be heard, to make submissions, and to call witnesses.

At the outset of the hearing, the Tenant's Legal Advocate stated that he received confirmation from his client that the parties had reached a settlement. He also stated that neither party would be attending this dispute resolution hearing.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

7.1 Commencement of the dispute resolution hearing: *The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.*

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 neither party attended the hearing, and with the Tenant's Legal Advocate's explanation of the situation, I order the application dismissed. I make no findings on the merits of the matter.

Conclusion

The Tenant's application is dismissed. This dismissal does not extend any time limitation that may apply under the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: December 12, 2022

Residential Tenancy Branch