



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNETC FFT

Introduction

The tenant sought compensation pursuant to sections 51(2) and 72 of the *Residential Tenancy Act* (the “Act”).

Preliminary Issue: Non-Attendance of Applicant

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

A dispute resolution hearing was convened, by teleconference, on January 27, 2023 at 1:30 PM. An agent and a witness for the respondent landlord attended the hearing, while the applicant did not. The hearing was concluded at 1:40 PM. Because the applicant failed to attend the hearing to prove their case it follows that their application for dispute resolution must be dismissed without leave to reapply.

Conclusion

The application is dismissed without leave to reapply.

Dated: January 27, 2023

Residential Tenancy Branch