



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding GP MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDCT OLC FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (Act) for a monetary order in the amount of \$3,832 for compensation under the Act, Regulation or tenancy agreement, for an order directing the landlord to comply with the Act, Regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenant was provided with a copy of the Notice of a Dispute Resolution Proceeding dated November 22, 2022 (Notice of Hearing) when they made their application. The tenant, however, did not attend the hearing set for March 20, 2023 at 9:30 a.m. Pacific Time. I called into the hearing at 9:32 a.m. to allow time for any parties to hear the standard Residential Tenancy Branch (RTB) introductory message to participants. The phone line remained open for 10 minutes and was monitored throughout this time. The only person to call into the hearing was the owner of the landlord management company. The hearing concluded at 9:42 a.m.

Analysis

RTB Rules of Procedure (Rules) 7.1 and 7.3 apply and state:

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.

Given the above and following the 10-minute waiting period, the application of the tenant was **dismissed without leave to reapply**. This decision does not extend any applicable time limits under the Act. The respondent attended the hearing, yet the applicant tenant did not attend the hearing to present the merits of their application.

The filing fee is not granted as the application was dismissed.

Conclusion

The application is dismissed in full without leave to reapply.

The filing fee is not granted.

This decision will be emailed to both parties at the email addresses confirmed by the owner and the email address for the tenant provided in the tenant's application.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: March 20, 2023

Residential Tenancy Branch