



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding INTERRENT HOLDINGS MANAGER
LP and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDCT, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act"), for a monetary order of \$1,887.90 for compensation for monetary loss or other money owed; and to recover their \$100.00 Application filing fee.

An agent for the Landlord, J.L. ("Agent"), appeared at the teleconference hearing, but no one attended on behalf of the Tenant. The teleconference phone line remained open for over ten minutes and was monitored throughout this time. The only person to call into the hearing was the Agent, who indicated that she was ready to proceed. I confirmed that the teleconference codes provided to the Parties were correct and that the only person on the call, besides me, was the Agent. The Agent noted that she had not been served with a Notice of Hearing or evidence for this proceeding, but that she found out about it from a Residential Tenancy Branch ("RTB") email on May 12, 2023.

The Tenant was provided with a copy of the Notice of a Dispute Resolution Hearing on September 8, 2022; however, the Tenant did not attend the teleconference hearing scheduled for May 15, 2023, at 1:30 a.m. (Pacific Time).

Rule 7.1 of the RTB Rules of Procedure ("Rules") states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Respondent Landlord's Agent and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 1:30 p.m. on May 15, 2022, as scheduled.

Rule 7.3 states that 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 reapply. The teleconference line remained open for ten minutes, however, neither the Applicant nor an agent acting on their behalf attended to provide any evidence or testimony for my consideration. As a result, and pursuant to Rule 7.3, I **dismiss the Tenant's Application without leave to reapply**.

Conclusion

The Tenant's Application is dismissed without leave to reapply, as the Tenant or an Agent for the Tenant failed to attend the hearing to present the merits of the Application. The Respondent Landlord's Agent did attend the hearing.

This Decision does not extend any applicable time limits under the Act.

This Decision will be emailed to the address provided by the Agent during the hearing, and to the email address provided by the Tenant in the 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: May 15, 2023

Residential Tenancy Branch