



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDL-S

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear an application regarding a tenancy. The landlord applied on July 23, 2022 for an order for the tenant to pay to repair damage that they, their pets, or their guests caused during the tenancy, with the request to retain the security and/or pet damage deposit.

The hearing teleconference commenced on time at 1:30 PM and was attended by one of the tenants. The landlord did not attend the hearing, though the teleconference line remained open for 10 minutes. The tenant was affirmed and made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

The tenant testified they were not served with the Notice of Dispute Resolution Proceeding or evidence for the dispute.

Rule 7 of the Rules of Procedure provides as follows:

Rule 7.1 Commencement of the hearing

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

Rule 7.3 Consequences of not attending the hearing

The arbitrator may conduct the hearing in the absence of a party or dismiss the application, with or without leave to re-apply.

As the landlord did not attend the hearing, their application is dismissed with 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: May 05, 2023

Residential Tenancy Branch