



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNETC, FFT

Introduction and Preliminary Matters

On August 29, 2022, the Tenants applied for a Dispute Resolution proceeding seeking a Monetary Order for compensation in the amount of 12 months' rent pursuant to Section 51 of the *Residential Tenancy Act* (the "Act") and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

This hearing was scheduled to commence via teleconference at 1:30 PM on May 23, 2023.

The Landlord attended the hearing, with J.A. attending as an agent for the Landlord; however, neither Tenant made an appearance at any point during the 11-minute teleconference. All parties in attendance provided a solemn affirmation.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a Decision or dismiss the Application, with or without leave to re-apply.

I dialed into the teleconference at 1:30 PM and monitored the teleconference until 1:41 PM. Only the Respondent, with her agent, dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I confirmed during the hearing that the Applicants did not dial in, and I also confirmed from the teleconference system that I was the only other party who had called into this teleconference.

As the Tenants did not attend this hearing, I dismiss their Application without leave to reapply. Moreover, as the Tenants were not successful in this Application, I find that the Tenants are not entitled to recover the \$100.00 filing fee paid for this Application.

Conclusion

As the Tenants did not attend this hearing, I dismiss the Tenants' Application for Dispute Resolution without 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 23, 2023

Residential Tenancy Branch