



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding LIENSKI INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDCT, MNSD

Introduction

This hearing was convened as a result of the Tenant's application under the Residential Tenancy Act (the "Act") for:

- compensation of \$950.00 for monetary loss or money owed by the Landlord pursuant to section 67 of the Act; and
- return of the security deposit and/or pet damage deposit in the amount of \$375.00 pursuant to section 38 of the Act.

The Landlord's representatives KT and AS attended this hearing.

The Tenant did not attend. I left the teleconference hearing connection open until 1:42 pm in order to enable the Tenant to call into the hearing scheduled to start at 1:30 pm. I confirmed that the correct call-in numbers and participant access code had been provided in the notice of dispute resolution proceeding. I used the teleconference system to confirm that the Landlord's representatives and I were the only ones who had called into the hearing.

Tenant's Non-attendance

Rules 7.3 and 7.4 of the Residential Tenancy Branch Rules of Procedure state as follows:

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.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

The Tenant did not attend this hearing to present evidence regarding the merits of the Tenant's own application, while the Landlord's representatives duly attended. Accordingly, in the absence of any evidence or submissions from the Tenant, I dismiss this application without leave to re-apply.

Conclusion

This application is dismissed in its entirety without leave to re-apply.

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: June 09, 2023

Residential Tenancy Branch