



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## DECISION

Dispute Codes      **MNETC**

### Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (Act) for an Order for compensation from the Landlord related to a Notice to End Tenancy for Landlord's Use of Property under Section 51 of the Act.

The hearing was conducted via teleconference. Both Landlords, MRA and ZZ, attended the hearing at the appointed date and time and provided affirmed testimony. ZZ left the hearing seven minutes after the hearing began as she had to return to work.

The Tenant did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Landlords and I were the only ones who had called into this teleconference. The Landlords were given a full opportunity to be heard, to make submissions, and to call witnesses.

I advised the Landlords that Rule 6.11 of the Residential Tenancy Branch (RTB) Rules of Procedure prohibits the recording of dispute resolution hearings. The Landlords testified that they were not recording this dispute resolution hearing.

This hearing was conducted pursuant to RTB Rules of Procedure 7.3, in the Tenant's absence, therefore, all the Landlords' testimony is undisputed. Rules of Procedure 7.3 states:

***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.*

This hearing was convened to hear the Tenant's claim. The Tenant did not attend the hearing which ended at 1:45 p.m. As the Tenant did not attend this hearing, and in the absence of any evidence or submissions from the Tenant, I order her application dismissed with leave to re-apply. I make no findings on the merits of the matter.

### Conclusion

The Tenant's application is dismissed with leave to re-apply. This dismissal does not extend any time limitation that may apply under the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: June 09, 2023

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Residential Tenancy Branch