



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDC, MNETC, FF

Introduction, Preliminary and Procedural Matters-

This telephone conference call hearing was convened as the result of the tenants' application for dispute resolution seeking remedy under the Residential Tenancy Act (Act) for compensation for a monetary loss or other money owed, compensation from the landlords related to a Two Month Notice to End Tenancy for Landlord's Use of Property (Notice), and recovery of the filing fee.

The hearing began at 1:30 p.m. Pacific Time on Friday, June 9, 2023, as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, no tenant called into the hearing; however, the landlord's agent was present and ready to proceed with the hearing.

I continued the hearing for 10 minutes, in order to allow the tenant to call into the hearing. During the hearing, the landlord said they had not been served the tenants' application and only found out about the hearing by receiving a courtesy email reminder from the Residential Tenancy Branch.

Rules 7.3 and 7.4 of the Rules of Procedure provides 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.

Accordingly, **in the absence of any evidence or submissions from the tenants at the hearing, I order the application dismissed, 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: June 09, 2023

Residential Tenancy Branch