



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

A matter regarding BIRCHWOOD PEAK PROPERTIES  
LTD. and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OLC, FFT

This hearing dealt with the tenants' applications for Dispute Resolution under the Manufactured Home Park Tenancy Act (the Act) for:

- an order for the landlord to comply with the Act, the Manufactured Home Park Tenancy Regulation and/or tenancy agreement, pursuant to section 55; and
- an authorization to recover the filing fee for this application, under section 65.

The respondent (Landlord), represented by agent AR and assisted by counsel SD, called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 9:42 A.M. to enable the applicants (tenants) to connect with this teleconference hearing scheduled for 9:30 A.M., the applicants did not attend.

The Landlord was given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

The Landlord confirmed receipt of the notices of dispute resolution proceedings and that he had enough time to review them.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Landlord and I were the only persons who had called into this teleconference.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

Rule 7 – During the hearing

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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.

Accordingly, in the absence of any attendance at this hearing by the tenants, I order the tenants' applications dismissed. I do not grant leave to reapply, as the tenants served the notices of dispute resolution and did not attend the hearing.

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: August 06, 2024

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Residential Tenancy Branch