

## **DECISION**

### **Introduction**

This hearing dealt with the Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- additional rent increase under section 43 of the Act

No one attended the hearing for the Landlord.

Tenant N.M., Tenant M.A., Tenant G.G., Tenant R.A.L.S. attended the hearing.

### **Preliminary Matter**

The Tenants identified on the cover page to this Decision attended at the appointed time set for the hearing. Although I waited until 9:44 a.m. for a Landlord representative to attend this hearing scheduled for 9:30 a.m., no one called in on behalf of the Landlord. I confirmed the correct call-in number and participant code had been provided in the Notice of Dispute Resolution Proceeding. I also confirmed on the teleconference system that only the Tenants identified above had called into this hearing.

Rule of Procedure 7 states:

#### **Rule 7.1 Commencement of the hearing**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

#### **Rule 7.3 Consequences of not attending the hearing**

The arbitrator may conduct the hearing in the absence of a party or dismiss the application, with or without leave to re-apply.

In this case, the Landlord's representative's non-attendance may have been for a reason beyond the Landlord's or representative's control, warranting dismissal with leave to reapply.

### **Conclusion**

Accordingly, in the absence of any evidence or submissions from the Landlord, I order the application be dismissed, with leave to reapply. I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

In the event the Landlord reapplies, a further failure by the Landlord to attend a hearing on the re-filed application for additional rent increase that it had filed on October 25, 2024, may result in dismissal without leave to reapply.

I order the Landlord to serve all Tenants with this Decision, in accordance with section 88 of the Act, within two weeks of this Decision. I authorize the Landlord to serve each Tenant by sending it to a Tenant by email if the Tenant provided an email address for service and to provide any Tenant with a printed copy if requested by the Tenant.

This decision is issued upon authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: January 17, 2025

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Residential Tenancy Branch