

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for Dispute Resolution, the Director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the landlord had applied for Dispute Resolution. The hearing was scheduled for an oral teleconference hearing on February 03 at 09.00 am. The landlords' agent appeared at the first hearing but the tenant did not appear. This hearing was adjourned to enable the landlord to provide evidence that service of the hearing documents took place according to section 89 of the *Act*.

The hearing was reconvened to today's date. The hearing went ahead as scheduled but after 10 minutes neither participant had dialed into the conference call. Based on the above I find that the landlord has failed to present the merits of their application and the application is 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: March 19, 2010.

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Dispute Resolution Officer