



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR MNDC MNSD PSF RPP LRE O

Introduction

This telephone conference call hearing was convened as the result of the tenants' application for dispute resolution under the *Residential Tenancy Act* (the "Act") for a monetary order for cost of emergency repairs, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, for return of all or part of a security deposit or pet damage deposit, for an order directing the landlord to provide services or facilities required by law, to return the tenants' property, to suspend or set conditions on the landlord's right to enter the rental unit, and "other" although further details to explain "other" were not clear in the tenants' application.

Preliminary and Procedural Matters

At the outset of the hearing, the parties agreed to amend the tenants' application to reflect the correct spelling of the landlord and to add the second landlord, MH, to the tenants' application. As a result, the tenants' application was amended to reflect the correct spelling of the landlord's name, in addition to the addition of the second landlord name.

The tenants also indicated that their mailing address changed and as a result, after the first portion of the hearing, the tenants mailing address was amended to reflect their new mailing address provided during the hearing. I note that the Notice of Adjourned Hearing was mailed to the updated mailing address of the tenants.

Analysis

The hearing commenced at 1:30 p.m. on October 23, 2013 as scheduled and both parties attended the hearing. On that date, the hearing was adjourned to provide the landlord the opportunity to re-serve the landlord's evidence on the tenants. Both parties were sent a Notice of Adjourned Hearing Notice dated October 29, 2013 for the

adjourned hearing on December 12, 2013 at 9:30 a.m. Pacific Time. The agent for the landlord attended the reconvened hearing on December 12, 2013 and was ready to proceed; however the tenants failed to attend the reconvened hearing. After the 10 minute waiting period, the application of the tenants was **dismissed without leave to reapply** as the tenants failed to attend the reconvened hearing to present their application.

Conclusion

The tenants' application has been dismissed without leave to reapply as the tenants failed to attend the reconvened hearing on December 12, 2013 at 9:30 a.m. to present their application.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: December 12, 2013

Residential Tenancy Branch

