



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL, FFL

Introduction

I was designated to hear this matter pursuant to section 58 of the *Residential Tenancy Act* (the *Act*). The landlords applied for:

- a monetary order for damage and losses arising out of this tenancy pursuant to section 67; and
- authorization to recover the filing fee for this application from the tenants pursuant to section 72.

One of the Respondents, VN, called into this teleconference hearing at the date and time set for the hearing of this matter. VN corrected the spelling of his name to the version identified above, and gave sworn testimony that he represented the other Respondent's interests in this matter as well. The Applicants did not call into this teleconference hearing, although I waited until 1:41 p.m. to enable them to connect with this teleconference hearing scheduled for 1:30 p.m. 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 Respondent VN and I were the only persons who had called into this teleconference.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the hearing The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Accordingly, **in the absence of any testimony from the applicant at this hearing, I order the application dismissed without liberty 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: July 30, 2018

Residential Tenancy Branch