



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI

Introduction

This teleconference hearing was scheduled in response to an application by the Tenant under the *Manufactured Home Park Tenancy Act* (the “Act”) to dispute a rent increase.

One of the Landlords was present for the teleconference hearing, while no one called in for the Tenant during the approximately 10 minutes that the phone line remained open.

The Landlord was affirmed to be truthful in her testimony. She confirmed that she received the Notice of Dispute Resolution Proceeding package from the Tenant by mail, along with copies of the Tenant’s evidence. The Landlord sent a copy of their evidence to the Tenant by registered mail.

Issue to be Decided

Was the Tenant given an illegal rent increase?

Background and Evidence

As the Tenant did not attend the hearing that was based on his Application for Dispute Resolution, the hearing did not continue in his absence.

Analysis

Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* states that if a party does not attend the hearing, the hearing may continue, or the application may be dismissed.

As this was the Tenant's claim, the Tenant has the onus to present testimony and evidence to establish his claim and for a decision to be made on the matter.

Therefore, without the Tenant present, the hearing was not able to continue. The Tenant's Application for Dispute Resolution is dismissed, without leave to reapply.

Conclusion

The Tenant's Application for Dispute Resolution 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 *Manufactured Home Park Tenancy Act*.

Dated: November 22, 2018

Residential Tenancy Branch