



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SKYLINE LIVING  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNRL, FFL

### Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution filed under the *Residential Tenancy Act* (the "Act") made on August 20, 2020. The Landlord applied for a monetary order for unpaid rent and to recover the filing fee paid for the application. The matter was set for a conference call.

The Tenant attended the conference call hearing and was affirmed to be truthful in their testimony and was provided with the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

As the Landlord did not attend, service of the Notice of Dispute Resolution Hearing documentation was considered. As the Landlord is the applicant in this hearing, I find that the Landlord had been duly notified of the Notice of Hearing in accordance with the *Act*.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Issues to be Decided

- Is the Landlord entitled to a monetary order for unpaid rent?
- Is the Landlord entitled to the return for their filing fee for this application?

### Background and Evidence

This hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. Rule 7.3 of the Rules of Procedure stipulates that an 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.

I called into the hearing, and the line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Tenant. Therefore, as the Landlord did not attend the hearing by 1:40 p.m. and the Tenant appeared and was ready to proceed, I dismiss the Landlord's application without leave to reapply.

### Analysis

I find that the Application for Dispute Resolution has been abandoned.

### Conclusion

I dismiss the Landlord's Application for Dispute Resolution 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: December 8, 2020

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Residential Tenancy Branch