



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDL, FFL

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for a monetary Order for damage and to recover the fee for filing this Application for Dispute Resolution.

Issue(s) to be Decided

Is the Landlord entitled to compensation for damage to the rental unit?

Background and Evidence

The Tenant with the initials "LM" stated that she was never served with the Landlord's Application for Dispute Resolution. She stated that she only became aware of this hearing after the Residential Tenancy Branch sent her a reminder of the hearing.

The Tenant with the initials "GG" stated that she was never served with the Landlord's Application for Dispute Resolution. She stated that the Tenant with the initials "LM" recently informed her of the hearing.

This hearing was scheduled to commence today at 1:30 p.m. I dialed into the teleconference at the scheduled start time, at which time both Tenants identified themselves as being present.

By the time this teleconference was terminated at 1:42 p.m., the Landlord had not dialed into the teleconference.

Analysis

On the basis of the undisputed evidence, I find that the Landlord did not serve the Tenants with the Application for Dispute Resolution.

I find that the Landlord did not attend the hearing at the scheduled start time and that he had not attended the hearing by the time the teleconference was terminated at 1:42 pm.

I find that the Landlord failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the application, without leave to reapply.

Conclusion

The 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 *Act*.

Dated: February 01, 2021

Residential Tenancy Branch