



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDCT, DRI, RR, LRE, LAT, OLC

Introduction

On July 8, 2022, the Tenant applied for dispute resolution under the *Residential Tenancy Act* seeking compensation under section 67; sections 41 through 43, and sections 65(1)(f) (compensation for a rent reduction resulting from cessation of a service or facility under the tenancy agreement).

The matter proceeded by teleconference hearing on December 1, 2022. Only the Tenant appeared at the hearing. The Arbitrator found that the Landlord was served with the required notice and the hearing proceeded.

The Arbitrator awarded the Tenant \$100.00 in nominal damages for a loss of personal property; and \$200.00 for a loss of use of laundry service. The Tenant was granted a monetary order in the amount of \$300.00.

On December 15, 2022, the Landlord applied for a review consideration on the grounds of being unable to attend due to circumstances outside of their control and that false information was submitted. An Arbitrator granted the application, and a new hearing was ordered. The decision and order issued on December 1, 2022, are suspended until the new hearing is completed.

The new hearing proceeded by teleconference hearing on April 24, 2023. The Landlord attended the hearing; however, the Tenant did not. The Landlord testified that they did not have an address for the Tenant to be able to send him the Notice of Dispute Resolution for this hearing. The Landlord testified that the Tenant is aware of the hearing as he applied for clarification of the Review Consideration Decision.

A review of the case management system indicates that the Tenant called the RTB on January 19, 2023, and was provided the details for the dispute resolution hearing. On December 23, 2022, the Tenant uploaded documentary evidence in preparation for this hearing.

In accordance with section 71(2)(c) of the Act, I find that notice of the hearing was sufficiently given or served to the Tenant for purposes of this Act.

The line remained open while the phone system was monitored for ten minutes and the Tenant did not call into the hearing during this time. Therefore, as the Applicant did not attend the hearing by 9:40 am, I dismiss the Tenant's application without leave to reapply.

The decision and monetary order issued on December 1, 2022, are cancelled.

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: April 24, 2023

Residential Tenancy Branch