

## **Decision**

**Dispute Codes:** OPR/OPC/OPB, MNR, MND, MNDC, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord for an order of possession; a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, regulation or tenancy agreement; retention of the security deposit; and recovery of the filing fee.

The landlord's agent was present at 9:30 a.m. which was the scheduled start time of the telephone conference call hearing. Until the landlord's agent left the call without notice at approximately 9:42 a.m., she gave affirmed testimony. The tenant did not appear.

### **Issues to be decided**

- Whether the landlord is entitled to any or all of the above under the Act, regulation or tenancy agreement

### **Background and Evidence**

The landlord's agent testified that as the tenant vacated the unit toward the end of March 2010, an order of possession is no longer required. Accordingly, this aspect of the landlord's application is withdrawn.

The landlord's agent was unable to confirm how the application for dispute resolution and notice of hearing (the "hearing package") was served on the tenant. After I informed her that the documentary evidence before me was limited to the landlord's original on-line application, a subsequent amended application, and three invoices, she stated that the application had been completed by a colleague who was not present. The landlord's agent indicated that the landlord would likely need to re-submit the application to the residential tenancy branch, and she made reference to other evidence such as photographs and 10 day notice(s) to end tenancy. She also stated that the

tenant had not left a forwarding address. After that point, as previously noted, the landlord's agent withdrew from the conference call at approximately 9:42 a.m. I waited on the line in case she had encountered a problem with her phone and might again call in. However, she did not again call in and I ended the conference call at 9:55 a.m.

**Conclusion:**

Pursuant to all of the above, the application is hereby dismissed with leave to reapply.

DATE: June 30, 2010

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Dispute Resolution Officer