

DECISION

Dispute Codes O

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*) and amendments thereto I was designated to hear an application regarding the above-noted tenancy. The landlord applied under the “Other” category on the application for dispute resolution which he described in the following terms:

Front wall of rental unit was smashed in by a vehicle. There is extensive exterior & interior work to be completed. This is going through insurance, we are unable to give a time for completion. We need unit vacant so contractors can work in a timely fashion. Tenants refuse to move out. Accident took place between May 14 and May 15 2011.

Neither party attended at the appointed time set for the hearing, although I waited until 9:42 a.m. to enable them to participate in this hearing.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the hearing The hearing must commence at the scheduled time unless otherwise decided by the dispute resolution officer. The dispute resolution officer 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.

Accordingly, **in the absence of any evidence or submissions I order the application dismissed with liberty to reapply.** I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

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*.