



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, 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 for:

- authorization to recover the filing fee for this application from the tenant pursuant to section 72; and
- other remedies as set out in the application for dispute resolution to enable the landlord to enter upon the premises and remove any and all materials that were in violation of the District's Unsightly Premises Bylaw.

Neither party attended at the appointed time set for the hearing, although I waited until 3:10 p.m. to enable them to participate in this hearing scheduled for 3:00 p.m.

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*.

Dated: January 16, 2012

Residential Tenancy Branch