



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR OPB MNSD FF

This hearing dealt with an application by the landlord for an order of possession and an order to retain the security deposit in full compensation of a monetary claim.

The hearing first convened on January 18, 2013. On that date, both the landlord and the tenant participated in the teleconference hearing. The parties agreed that the tenancy had ended by mutual agreement on January 1, 2013. Accordingly, I dismissed the portions of the landlord's application regarding an order of possession.

On January 18, 2013, the tenant stated that she had only received one sheet of paper from the landlord. She had not been served with the landlord's application or any of the landlord's other evidence. The landlord stated that he had sent his application and all of his evidence to the tenant by registered mail. The landlord stated that he had only recently received the tenant's evidence. I determined that an adjournment was appropriate in the circumstances.

The parties were sent notices of the reconvene time and date. The hearing reconvened by telephone conference call at 2:30 p.m. on March 4, 2013. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. Therefore, as neither the applicant nor the respondent attended the hearing by 2:40 p.m., I dismiss the remainder of the landlord's claim with leave to reapply. I note this does not extend any applicable deadlines under the Act.

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: March 4, 2013

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Residential Tenancy Branch

