



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Remax Little Oak Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF

Introduction and Analysis

This telephone conference call hearing was convened as the result of the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act") for an order of possession for the rental unit, a monetary order unpaid rent, and for recovery of the filing fee.

The hearing began at 10:30 a.m. as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, the applicant/landlord did not dial into the telephone conference call hearing; however the respondent/tenant dialed in and remained during the 10 minutes.

During the hearing, the tenant explained that she had been in contact with the landlord's agent, had paid some of the back rent, and was working towards paying the full amount.

After I explained that if the landlord did not appear during the 10 minutes of the hearing I would be dismissing the landlord's application for dispute resolution, the tenant requested that I order that the landlord was entitled to receive the filing fee of \$50 from her.

Conclusion

In the absence of the landlord to present their claim, pursuant to section 10.1 of the Residential Tenancy Branch Rules of Procedure (Rules), I dismiss the landlord's application, without leave to reapply.

I have declined the tenant's request that the landlord is entitled to recovery of the filing fee as I have dismissed the landlord's application.

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* and is being mailed to both the applicant and the respondent.

Dated: June 07, 2013

Residential Tenancy Branch

