



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction and Analysis

This hearing was convened as a result of the tenant's successful application for review regarding the Decision dated May 30, 2013, in which the landlord was granted an order of possession for the rental unit due to unpaid rent and a monetary order for unpaid rent based upon his application for dispute resolution under the direct request process.

The tenant applied for a review based upon his contention that he had evidence that the Decision of May 30, 2013, was obtained by fraud.

The tenant was granted a new hearing in a Decision by another Arbitrator dated June 24, 2013, and the Decision and Orders of May 30, 2013 were suspended pending the new hearing.

The reviewing Arbitrator further ordered that the tenant serve the landlord with a copy of Review Decision, all the tenant's evidence provided with the application for review consideration and the Notice of Hearing documents within 3 days of the receipt of her Decision.

This new hearing dealt with the landlord's original application seeking a monetary order for unpaid rent and an order of possession for the rental unit due to unpaid rent.

The new hearing was scheduled to be heard by telephone conference call hearing at 2:30 p.m. on July 31, 2013.

The hearing began at 2:30 p.m. as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, neither the tenant nor the landlord dialed into the telephone conference call hearing.

Conclusion

In the absence of the tenant to present his evidence at the new hearing which had been granted on his successful application for review consideration, I find the Decision, the order of possession for the rental unit, and the monetary order issued on May 30, 2013, in favour of the landlord should be and they are hereby confirmed.

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/landlord and the respondent/tenant.

Dated: July 31, 2013

Residential Tenancy Branch