



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Royal Towers Apartments Corp.  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes:**

OPR; MNR; MNSD

### **Introduction**

This Hearing was scheduled to hear the Landlord's application for an Order of Possession; a monetary award for unpaid rent; and to apply the security deposit towards partial satisfaction of its monetary award.

### **Preliminary Matters**

At the outset of the Hearing, the Landlord's agent TH stated that the Tenant abandoned the rental unit and that the Landlord has taken back possession of the rental unit. Therefore, TH withdrew the Landlord's application for an Order of Possession.

TH stated that the Notice of Hearing documents were mailed to the Tenant, by registered mail on July 2, 2013. The Landlord did not provide a copy of the registered mail receipt and tracking number in evidence. TH stated that she could provide the tracking number, but she would have to call her office. TH exited the conference at 3:04 p.m.

This application was scheduled to be heard via teleconference on August 1, 2013, at 3:00 p.m. By 3:10 p.m., TH had not signed back into the conference, nor had the Tenant signed into the conference.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

**Commencement of Hearing** The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator 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.

The Tenant did not sign into the teleconference and the Landlord did not provide sufficient evidence that the Tenant was served with the Notice of Hearing documents. Therefore, I dismiss the Landlord's application **with leave to re-apply**.

**Conclusion**

The Landlord's application for an Order of Possession was withdrawn.

The remainder of the Landlord's application is **dismissed with leave to re-apply**.

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: August 01, 2013

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Residential Tenancy Branch