



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION  
and [tenant name suppressed to protect privacy]

## **REVIEW HEARING DECISION**

Dispute Codes      OPR, MNR

### Introduction

This review hearing was convened in response to an application filed by the landlord on September 25, 2013.

On October 2, 2013, the landlord's application for dispute resolution was heard exparte, and the landlord was granted an order of possession and a monetary order for unpaid rent.

On October 4, 2013, the tenant filed an application for review consideration, which on October 8, 2013, the Arbitrator suspended the original decision and orders made on October 2, 2013, until such time that a participatory hearing was conducted.

In the review consideration decision the Arbitrator ordered that the tenant must serve the landlord with a copy of the decision and the attached notice of hearings within three (3) days of receiving the decision.

The tenant failed to comply with the order of the Arbitrator, as the tenant did not serve the landlord with any of the required documents as instructed.

The landlord's agents attended the hearing due to their actions of contacting the Residential Tenancy Branch and were able to obtain copies of the review consideration decision on November 13, 2013.

Further, it appears that the review consideration may have been granted on a false pretence as the tenant indicated that they were not served with the notice of direct request proceeding. However, the landlord has provided the Canada post track history which indicated the direct request package was signed for by (LD) on the tenant's behalf.

This matter was set for hearing by telephone conference call at 11:30 A.M on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the landlord.

As this is a review hearing and the tenant failed to comply with the order in the review consideration decision and failed to attend the hearing.

**I find it appropriate in this case to confirm the decision and orders made on October 2, 2013.**

Conclusion

**The decision and orders made on October 2, 2013, stand and remain in full force and effect.**

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: November 20, 2013

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Residential Tenancy Branch

