



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB, MNDC, FF

Introduction

This hearing was set for a telephone conference call at 1:30 pm in response to an Application for Dispute Resolution made by the Landlord to; obtain an Order of Possession based on a breach of an agreement; for money owed or compensation for damage or loss under the Residential Tenancy Act, regulation or tenancy agreement; and to recover the filing fee for the cost of making the application.

The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing was the Respondent.

Analysis & Conclusion

Rule 10.1 of the Dispute Resolution Proceedings Rules of Procedure states that 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.

As the Applicant did not appear by 1:40 p.m., and the Respondent appeared and was ready to proceed, I dismiss the Landlord's application **without** leave to reapply.

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: April 09, 2014

Residential Tenancy Branch

