



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

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 end the tenancy early and obtain an Order of Possession. The Tenant appeared for the hearing but was unable to speak little English. The Tenant was unable to provide a Translator for the duration of the hearing.

Analysis & Conclusion

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.

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 attend the hearing by 1:40 p.m., and the Respondent appeared and was ready to proceed, I dismiss the Landlord's application **without** leave to reapply.

From the broken English the Tenant had, I was able to determine that the Tenant wanted to make a monetary claim. The Tenant was provided with the details of the Information Line (also contained on the attached sheet) and asked to call for information on how to make an Application for Dispute Resolution via a translator or an advocate.

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 01, 2014

Residential Tenancy Branch

