



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

On July 17, 2014 a non-participatory hearing took place to decide on the Landlord's Application for Dispute Resolution (the "Application") for an Order of Possession and a Monetary Order for unpaid rent or utilities pursuant to Section 55(4) of the Act. However, the written evidence provided by the Landlord for this non participatory hearing was not sufficient for me to make a finding on the Landlord's Application without hearing from the parties. As a result, the proceedings were adjourned to reconvene for a participatory hearing scheduled for this date at 9:00 a.m. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing.

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 neither party called into the conference call by 9:10 am, I find that the Landlord has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the Act and I have made no findings of fact or law with respect to the merits of this Application.

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: October 3, 2014

Residential Tenancy Branch

