



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      RPP LRE AAT O

### Introduction

This hearing dealt with an Application for Dispute Resolution filed by Tenant on January 09, 2015, to obtain Orders to: have the Landlord return the Tenant's personal property; suspend or set conditions on the Landlord's right to enter the rental unit; to allow the Tenant access to (or from) the unit or site for the Tenant or the Tenant's guests; and for other reasons.

The hearing was conducted via teleconference and was attended by the Respondent Landlord. No one appeared on behalf of the Applicant Tenant despite this matter being convened to hear matters pertaining to the Tenant's application.

### Issue(s) to be Decided

Should the Tenant's application be dismissed with or without leave to reapply?

### Background and Evidence

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing.

In the absence of the applicant Tenant the telephone line remained open while the phone system was monitored for eleven minutes and no one on behalf of the Tenant called into the hearing during this time.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the 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.

Accordingly, in the absence of any oral submissions or documentary evidence from the applicant Tenant, I order their application dismissed without liberty to reapply.

Conclusion

I HEREBY DISMISS the Tenant'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: January 29, 2015

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Residential Tenancy Branch

