



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Grappa Investments Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

This matter originally proceeded by way of an Application for Dispute Resolution by Direct Request, a process that allows a landlord to make an *ex parte* application for an order for possession and a monetary order without a participatory hearing. An application by direct request is permitted only in the most straight forward circumstances and requires the landlord to provide clear documentary evidence to support the claim with no elements of ambiguity.

In an interim decision dated March 31, 2015 a Residential Tenancy Branch adjudicator found that there were deficiencies in the landlord's direct request application and supporting documents. He therefore ordered that the direct request application be reconvened as a participatory hearing to be conducted by conference call on May 20, 2015 at 9:00 A.M. The landlord was instructed to serve the tenant with the interim decision and Notice of the Reconvened Hearing. I was appointed to conduct the hearing.

Conclusion

The conference call was kept open for 15 minutes after the scheduled start time, but neither party called in to participate in the hearing. The landlord did not submit any documentary evidence to establish that the tenant was served with notice of the participatory hearing. In the absence of an appearance by either party by 9:15 A.M.,

this application is dismissed as abandoned. The applicant has leave to reapply. Leave to reapply does not constitute an extension of any applicable time limit.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: May 20, 2015

Residential Tenancy Branch

