



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

CNR, OPC, OPR, MNR, FF

### Introduction

This hearing was convened in response to cross applications.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Unpaid Rent.

The Landlord filed an Application for Dispute Resolution, in which the Landlord applied for an Order of Possession; for a monetary Order for unpaid rent; and to recover the fee for filing an Application for Dispute Resolution.

### Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession?

Should the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside?

Is the Landlord entitled to a monetary Order for unpaid rent?

### Background and Evidence

Section 61 of the *Residential Tenancy Act (Act)* stipulates 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 a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates 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.

This hearing was scheduled to commence at 10:30 a.m. on May 20, 2015. I dialed into the teleconference at 10:36 a.m. and monitored the teleconference until 10:47 a.m. Neither the Landlord nor the Tenant dialed into the teleconference during this time.

### Analysis

I find that both parties have abandoned their Application for Dispute Resolution.

Conclusion

I dismiss both Applications for Dispute Resolution with leave to reapply, as I have not made any findings of fact or law with respect to either 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: May 21, 2015

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Residential Tenancy Branch

