



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ET and FF

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession, for an early end to the tenancy, and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

For reasons outlined in my interim decision of June 18, 2015, the hearing on June 18, 2015 was adjourned. The hearing was reconvened on July 13, 2015 and was concluded on that date.

Issue(s) to be Decided

Is the Landlord is entitled to end this tenancy early and to an Order of Possession?

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.

The reconvened hearing was scheduled to commence at 9:00 a.m. on July 13, 2015. I dialed into the teleconference at 8:59 a.m. and monitored the teleconference until 9:11 a.m. Neither the Applicant nor the Respondent dialed into the teleconference during this time.

Analysis

I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application with leave to reapply, as I have not made any findings of fact or law with respect to the merits of the 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: July 13, 2015

Residential Tenancy Branch

