



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Bristol Estates
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR; MNR; MNSD; MNDC; FF

Introduction and Analysis

This Hearing was scheduled to consider the Landlord's Application for Dispute Resolution seeking an Order of Possession; a monetary award for unpaid rent and loss of revenue; to retain the security deposit in partial satisfaction of its monetary award; and to recover the cost of the filing fee from the Tenant.

In its Application, the Landlord named the Tenant DR and the Tenant's estate as the Respondents. At the outset of the Hearing, the Estate Administrator testified that the Tenant DR passed away on June 21, 2015 and that the Public Guardian and Trustee (the PGT) is administering the Tenant's estate under authority of Section 167 of the *Wills, Estates and Succession Act*. I amended the Landlord's Application for Dispute Resolution to reflect the correct name of the Respondent.

This application was scheduled to be heard via teleconference on September 17, 2015, at 9:30 a.m. Representatives of PGT signed into the conference and were ready to proceed, however by 9:40 a.m., the Landlord had not yet signed into the teleconference.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of 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.

I find that the Landlord has abandoned its application, and therefore I dismiss the Landlord's application without leave to re-apply.

Conclusion

The Landlord's application is dismissed **without leave to re-apply**.

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: September 18, 2015

Residential Tenancy Branch

