



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VADER ESTATE CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPL, FF

Introduction

This hearing was convened in relation to the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for an order of possession for landlord's use pursuant to section 55 and authorization to recover its filing fee for this application from the tenant pursuant to section 72.

Despite waiting fifteen minutes, neither party called into this hearing at the appointed time. I also confirmed that neither party had contacted the hearing number.

Analysis

Rule 10.1 of the *Rules of Procedure* provides:

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 evidence or submissions I dismiss this application with leave to reapply. I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

Conclusion

The tenant's application is dismissed with leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: September 1, 2015

Residential Tenancy Branch