



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

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

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, MNDC, FF

### Introduction

This hearing was convened by way of conference call concerning an application made by the landlord for an Order of Possession and a monetary order for unpaid rent or utilities; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenant for the cost of the application.

An agent for the landlord company attended the hearing, however despite being served with the Landlord's Application for Dispute Resolution and notice of this hearing by registered mail on September 28, 2015, no one for the tenant attended. The line remained open while the phone system was monitored for 10 minutes prior to hearing any submissions, and the only participant who joined the call was the landlord's agent.

No evidentiary material has been received from either party. The landlord's agent believes evidence was provided to the Residential Tenancy Branch by facsimile but does not recall when.

In the absence of any evidence, I cannot make any orders sought by the landlord, and I dismiss the claim with leave to reapply.

### Conclusion

For the reasons set out above, the landlord's application is hereby dismissed with leave to reapply.

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: November 26, 2015

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Residential Tenancy Branch

