



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR, OPR, MNR, MNDC, FF

Introduction

This hearing was convened in response to cross applications.

The Landlord filed an Application for Dispute Resolution, in which the Landlord applied for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, a monetary Order for money owed or compensation for damage or loss, and to recover the fee for filing this Application for Dispute Resolution.

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

Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent be set aside or should the Landlord be granted an Order of Possession?

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 November 02, 2015. I dialed into the teleconference at 10:42 a.m. and monitored the teleconference until

10:53 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 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: November 02, 2015

Residential Tenancy Branch

