



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding NPR INC. (GENERAL PARTNER FOR NPR LIMITED PARTNERSHIP)  
and [tenant name suppressed to protect privacy]

## **REVIEW HEARING DECISION**

Dispute Codes      OPR, MNR

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (“Act”), I was designated to hear this matter. This hearing dealt with the landlord’s application for:

- an order of possession for unpaid rent, pursuant to section 55; and
- a monetary order for unpaid rent, pursuant to section 67.

This hearing was originally scheduled as a direct request proceeding, which is a non-participatory hearing. A decision, dated February 5, 2016, was issued by an Adjudicator for the direct request proceeding. The decision granted the landlord with an order of possession and a monetary order, both dated February 5, 2016, against the tenant.

The tenant applied for a review of the above decision and orders and a reconvened review hearing was granted by an Arbitrator, pursuant to a review consideration decision, dated February 23, 2016. The Residential Tenancy Branch (“RTB”) was required to serve both parties with the notice of hearing for this reconvened review hearing. Both parties were also required to serve the other party with any other evidence they intended to rely upon at this hearing.

While the respondent tenant attended the hearing by way of conference call, the applicant landlord did not, although I waited until 11:10 a.m. in order to enable the landlord to connect with this teleconference hearing scheduled for 11:00 a.m.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 Commencement of the dispute resolution proceeding:** The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to reapply.

**In the absence of the landlord’s participation in this hearing, I order the landlord’s entire application dismissed without leave to reapply.**

Accordingly, the decision, order of possession and monetary order issued on February 5, 2016, are hereby cancelled and of no force or effect.

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: March 24, 2016

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Residential Tenancy Branch