



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding AMACON PROPERTY MANAGEMENT SERVICES INC.
and [tenant name suppressed to protect privacy]

REVIEW HEARING DECISION

Dispute Codes OPR

Introduction

On March 9, 2016 this review hearing was ordered for this date in response to an Application for Review Consideration filed by the tenant to determine whether the decision and Order of Possession issued to the landlord on February 29, 2016 under the Direct Request procedure should be confirmed, varied or set aside. In granting the review hearing the tenant was ordered to serve the landlord with a Notice of Review Hearing and a copy of the decision granting the review hearing within three days of receiving the decision. At the review hearing only the landlord's agents appeared.

The landlord's agents stated that the tenant did not serve them with the Notice of Review Hearing or the decision granting the review. Rather, the landlord's agents discovered that a review hearing had been granted when they began pursuing a Writ of Possession. The landlord's agents confirmed that rent has not been received for the months of February through April 2016 and the tenant has made several promises to move-out but he has not. The landlord's agents submitted that in the absence of a copy of the decision granting the review hearing the landlords are unaware as to the basis for the review hearing and have not had the opportunity to submit rebuttal evidence.

The teleconference call remained open for at least 15 minutes while waiting for the tenant to appear. The tenant did not appear during that time and I considered his request for a review hearing to have been abandoned. Given the tenant's failure to appear for the review hearing that he requested and in the absence of any submissions from the tenant during this hearing, I find I was presented no basis to set aside or vary the decision and Order of Possession previously issued on February 29, 2016. Therefore, I confirm the decision and Order of Possession issued on that date with the effect that the Order of Possession remains enforceable.

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: April 20, 2016

Residential Tenancy Branch