



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR

### Introduction

This hearing was reconvened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 55.

In an Interim Decision dated April 11, 2016 this application was adjourned from the Direct Request Proceedings in order for the Landlord to provide further evidence on the conflicting evidence provided for the Direct Request Proceedings. This Interim Decision directed the Landlord to serve the Tenant with, inter alia, the Notice of Reconvened Hearing.

The Tenant did not appear at the scheduled start time of the reconvened hearing. The Landlord was unable to provide evidence of how and when the Tenant was served with the Interim Decision and Notice of Reconvened Hearing. The Landlord became hostile and repeatedly interrupted the explanation of the Interim Decision and evidence requirements to the Landlord. The Landlord demanded that the hearing continue without the evidence. The Landlord was informed that the hearing would wait for 10 minutes for the Tenant to appear and if the Tenant did not appear and if no evidence could be provided in relation to the service, this application would be dismissed with leave.

While waiting for the Tenant to appear the Landlord exited the telephone conference and then called back in. Upon the Landlord calling back into the conference call the

Landlord was given further opportunity to provide service evidence. The Landlord again became hostile, stated that they do not know when they served the Tenant with the Notice of Reconvened Hearing and quit the conference call. As approximately 15 minutes had passed from the scheduled start time of the hearing, it was determined that the Tenant would not likely attend the hearing. As the Landlord was unable to provide evidence that the Tenant was served with the Notice of Reconvened Hearing as required by the Interim Decision and as the Landlord quit the hearing, the hearing concluded. I therefore dismiss the application 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: May 18, 2016

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Residential Tenancy Branch