



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding THE SOCIETY FOR HOUSING OPPORTUNITIES AND PROGRESSIVE  
EMPLOYMENT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNQ

### Introduction

This hearing convened as a result of cross applications. In the Landlord's Application for Dispute Resolution they sought an Order of Possession based on a 2 Month Notice to End Tenancy d's Application for Dispute Resolution they sought an Order of Possession based on a 2 Month Notice to End Tenancy d's Application for Dispute Resolution they sought an Order of Possession based on a 2 Month Notice to End Tenancy Because the Tenant Does Not qualify for Subsidized Rental Unit issued on July 27, 2016 (the "Notice"). In the Tenant's Application she sought an Order canceling the Notice, as well as more time to make her application pursuant to section 66(1) of the *Residential Tenancy Act*.

The hearing was set to occur at 9:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent Landlord's representatives, W.P. and S.S.

W.P. advised that it appears the Tenant has vacated the rental unit as of September 30, 2016. He stated that to his knowledge the utilities were also disconnected as of October 1, 2016. Despite the fact the Tenant appeared to have given up possession of the rental unit, he requested an Order of Possession.

### Analysis and Conclusion

Rules 7.1 and 7.3 f the *Residential Tenancy Branch Rules of Procedure* provide as follows:

### **Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

**Consequences of not attending the hearing**

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Tenant did not attend the hearing by 9:10 a.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

Pursuant to section 55(1) of the *Residential Tenancy Act*, **I grant the Landlord an Order of Possession.** The Landlord must serve the Order on the Tenant and may file and enforce the Order in the B.C. Supreme Court.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: October 18, 2016

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Residential Tenancy Branch

