



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AAT OLC

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("the *Act*") for an order requiring the landlord to comply with the *Act* pursuant to section 62; and an order to allow access to or from the rental unit pursuant to section 70.

The tenant/applicant did not attend this hearing, although I waited until 11:11 am in order to enable the tenant/applicant to connect with this teleconference hearing scheduled for 11:00 am. The landlord's representative attended the hearing and testified that the tenant will not be evicted. The landlord testified that, at this time, the tenant continues to reside in the rental unit with her 8 year old child and that she will do so for 2 more months.

With respect to the tenant's failure to attend this hearing, Rule 10.1 of the Rules of Procedure provides as follows:

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 re-apply.

In the absence of the tenant's participation in this hearing to support their application, I **order the tenant's application dismissed without liberty to reapply.**

The tenant's application is dismissed 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: October 17, 2016

Residential Tenancy Branch

