



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LOOKOUT AID SOCIETY

DECISION

Dispute Codes OPT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- an order of possession for the rental unit, pursuant to section 54.

While the respondent landlord's three agents attended the hearing by way of conference call, the applicant tenant did not, although I waited until 11:10 a.m. in order to enable the tenant to connect with this teleconference hearing scheduled for 11:00 a.m. All three agents confirmed that they had authority to speak on behalf of the landlord company named in this application at this hearing.

The landlord's agents made limited submissions regarding jurisdiction at this hearing, indicating that they believed this tenancy was transitional housing and excluded by section 4 of the Act. However, as I did not hear submissions or evidence from the tenant, I do not make any findings regarding this issue.

Rule 7.3 of the RTB *Rules of Procedure* provides as follows:

7.3 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.

In the absence of any appearance by the tenant, I order the tenant's application dismissed without 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: February 20, 2017

Residential Tenancy Branch

