



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

On February 10, 2017, Adjudicator Hayes issued an Interim Decision regarding the landlords' application for the following by way of the Residential Tenancy Branch's direct request proceedings, an *ex parte* proceeding:

- an Order of Possession pursuant to section 55; and
- a monetary order for unpaid rent pursuant to section 67.

In his Interim Decision, Adjudicator Hayes adjourned the landlords' application to a participatory hearing, which was delegated to me in accordance with section 58 of the *Residential Tenancy Act* (the *Act*). He directed the landlords to serve the tenant with a copy of his Interim Decision, along with the Notice of Reconvened Hearing and all other required documents.

Neither party attended at the appointed time set for the hearing, although I waited until 11:18 a.m. to enable them to participate in this hearing scheduled for 11:00 a.m.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the hearing The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Accordingly, **in the absence of any evidence or submissions I order the application dismissed with liberty to reapply.** I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

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: March 13, 2017

Residential Tenancy Branch

