



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("the Act"), I was designated to hear this matter. This hearing was scheduled to address the landlord's application pursuant to the *Residential Tenancy Act* ("the Act") for: an Order of Possession for Landlord's Use and authorization to recover the filing fee for this application from the tenant.

The landlord/applicant did not attend although the 9:30 a.m. teleconference hearing. The conference/hearing continued until 9:45 a.m. The tenant was present. With respect to the landlords' 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 landlords' participation in this hearing to support their application, I **order the landlords' application dismissed with leave to reapply.**

Conclusion

I dismiss the **landlords'** 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 9, 2017

Residential Tenancy Branch