



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding JOMA ENTERPRISES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, OPN, FF

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution, filed July 10, 2017, wherein the Landlord applied for the following relief: an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on July 6, 2017; an Order of Possession based on the Tenant's written notice to end the tenancy; a Monetary Order in the amount of \$2,799.00 for unpaid rent, and recovery of the filing fee.

This matter was set for hearing by telephone conference call at 11:00 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time.

Analysis and Conclusion

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* provides as follow:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.2 Delay in the start of a hearing

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

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.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As neither party called into the hearing by 11:10 a.m., I dismiss the claim with leave to reapply. I note this does not extend any applicable time limits under the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: September 27, 2017

Residential Tenancy Branch