



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes**      OPL FF

### **Introduction**

This hearing dealt with the landlords' application pursuant to the *Residential Tenancy Act* ("Act") for an Order of Possession for Landlord's Use pursuant to section 55 of the Act, and for recovery of the filing fee pursuant to section 72 of the Act.

While the tenants attended the hearing by way of conference call, the landlords did not. I waited until 9:40 a.m. to enable the landlords to participate in this scheduled hearing for 9:30 a.m. The tenant's agent, TG ('tenants'), testified on behalf of the tenants in this hearing, and was given full authority to do so. The tenants' agent was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

Rule 7.3 of the 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.

Accordingly, **in the absence of any evidence or submissions from the applicants 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: September 13, 2017

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Residential Tenancy Branch