



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPN, OPR, MNR, MNSD, FF

### Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution filed September 1, 2017 wherein the Landlord sought the following relief:

- An Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities;
- An Order of Possession based on a Tenant's notice to end tenancy
- Monetary compensation for unpaid rent;
- Authority to retain the Tenant's security deposit; and,
- Recovery of the filing fee.

The hearing was scheduled for 9:00 a.m. on this date. The line remained open for ten minutes and neither party called into the hearing.

### 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 9:10, 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 *Residential Tenancy Act*.

Dated: November 23, 2017

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Residential Tenancy Branch