



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ALL ISLAND EQUITY REIT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution wherein she sought to cancel a 1 Month Notice to End Tenancy for Cause issued on September 30, 2017 (with an effective date of October 30, 2017) (hereinafter referred to as the "Notice").

The hearing was set for 10:30 a.m. on this date. Only the Landlord's representatives, J.F. and B.M., called into the hearing. They advised that they are the Property manager and General Manager respectively and that the proper name of the Landlord is the corporate Landlord, A.I.E.R., who is also named on the tenancy agreement. Pursuant to section 64(3)(c) of the *Residential Tenancy Act*, I amend the Tenant's Application for Dispute Resolution to accurately name the Landlord as A.I.E.R.

The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Landlord's representatives.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

Commencement of Hearing:

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

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.

As the Applicant Tenant did not attend the hearing by 10:40 a.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

Pursuant to section 55(1) of the *Residential Tenancy Act*, **I grant the Landlord an Order of Possession effective two (2) days after service.** The Landlord must serve the Order on the Tenant and may file and enforce the Order in the B.C. Supreme Court.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: December 18, 2017

Residential Tenancy Branch