



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes OPR, MNR, MNDC, FF; CNR

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (“*Act*”), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an order of possession for unpaid rent or utilities, pursuant to section 55;
- a monetary order for unpaid rent or utilities and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* or tenancy agreement, pursuant to section 67; and
- authorization to recover the filing fee for its application, pursuant to section 72.

This hearing was also scheduled to deal with the tenant’s cross-application pursuant to the *Act* for:

- cancellation of the landlord’s 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“10 Day Notice”), pursuant to section 46.

Neither party attended at the appointed time set for the hearing, although I waited until 9:40 a.m. to enable them to participate in this hearing scheduled for 9:30 a.m.

Rule 7.3 of the Residential Tenancy Branch *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 anyone attending this hearing, I order both applications dismissed with leave to reapply.** I make no findings on the merits of the matters. Leave 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: January 26, 2018

Residential Tenancy Branch