



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL, FFL

Introduction

The Landlord brought this application for dispute resolution to request an Order for Possession under a Two-Month Notice to End Tenancy to renovate the property, as well as a claim for the filing fee.

Neither party attended at the appointed time set for the hearing, although I waited 11 minutes to enable them to participate in this hearing scheduled for 9:00 a.m. on May 3, 2018. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a 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 neither party called into the conference call by 9:11 a.m., I find the Landlord has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the *Residential Tenancy Act* and I have made no findings of fact or law with respect to the merits of this Application.

Issue(s) to be Decided

Is the Landlord entitled to an Order for Possession from a Two-Month Notice to End Tenancy for the Landlord's Use of the property dated January 22, 2018, pursuant to section 55 of the *Residential Tenancy Act*?

Is the Landlord entitled to the costs of the filing fee, pursuant to section 72?

Conclusion

The Landlord's application is hereby dismissed, with leave to re-apply.

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: May 04, 2018

Residential Tenancy Branch