



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 25 SULLIVAN DEVELOPMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNRL-S, FFL

Introduction

These are two related Applications for Dispute Resolution by the Landlord for an Order for Possession for Unpaid Rent and for a monetary order for payment of rent arrears, as well as the filing fee. The Applications relate to two separate properties owned by the Landlord.

The Tenant attended the hearing at the scheduled time, however, the Landlord did not attend this hearing, although I left the teleconference hearing connection open until 9:40 a.m. in order to enable the Landlord to call into this teleconference hearing scheduled 9:30 a.m. 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 the Tenant and I were the only ones who had called into this teleconference.

Issue(s) to be Decided

For each of the Applications:

Is the Landlord entitled to an Order for Possession pursuant to section 46 and 55 of the Residential Tenancy Act ("Act")?

Is the Landlord entitled to a Monetary Order for payment of rent arrears and to retain the security deposit, pursuant to section 67 of the Act?

Is the Landlord entitled to an order for payment of the filing fee pursuant to section 72 of the Act?

Analysis

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 the Landlord did not call in to the hearing but the tenant attended this hearing prepared to respond, I hereby **dismiss this Application without leave to reapply**.

Conclusion

These Applications are hereby dismissed without leave to reapply.

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: June 4, 2018

Residential Tenancy Branch