



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ET, FFL

### Introduction

I was designated to hear this matter under section 58 of the *Residential Tenancy Act* (the Act). This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- an early end to this tenancy and an Order of Possession pursuant to section 56; and
- authorization to recover the filing fee for this application from the tenants pursuant to section 72.

One of the Respondents FS (the Respondent) appeared at the date and time set for the hearing of this matter. The Applicant did not, although I waited until 11:15 a.m. to enable the Applicant to connect with this teleconference hearing scheduled for 11:00 a.m. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Respondent and I were the only persons who had called into this teleconference.

At the hearing, the Respondent corrected an error made by the Applicant in the spelling of the Respondent's last name. In accordance with the powers delegated to me, I have corrected this spelling error accordingly and revised the spelling of the Respondent's name in the landlord's application to reflect this change.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 Commencement of the hearing** The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Accordingly, **in the absence of any evidence or submissions from the Applicant at this hearing, I order the application dismissed without liberty to reapply.**

Conclusion

The application is dismissed in its entirety without leave to reapply. This tenancy continues until it is ended in accordance with 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: June 12, 2018

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Residential Tenancy Branch