



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPM, FFL, OLC

### Introduction

Pursuant to section 58 of the Residential Tenancy Act (the “Act”), I was designated to hear applications from both the landlord and tenant regarding the above-noted tenancy.

The landlord applied for:

- an Order of Possession pursuant to section 55; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The tenant applied for an order that the landlord comply with the Act, regulations or tenancy agreement pursuant to section 62.

This matter was set for hearing by telephone conference call at 9:30 am on July 17, 2018. The line remained open while the phone system was monitored for fifteen minutes and no participant called into the hearing during this time. The phone lines were confirmed to be functioning normally. The Notice of Hearing was confirmed to provide the correct phone numbers and access codes to call into the conference call.

Rule 7.3 of the 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 reapply.

Accordingly, as no party attended the hearing by 9:45am and **in the absence of any evidence or submissions I order both of the applications dismissed without leave**

**to reapply.** I make no findings on the merits of the matter. The issuance of this decision does not extend any applicable deadlines under 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: July 18, 2018

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Residential Tenancy Branch