



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capreit LP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FFL MNRL-S OPR

Introduction

The landlord made an application for dispute resolution on July 23, 2018, seeking an order of possession on a 10 Day Notice to End Tenancy for Unpaid Rent ("10 Day Notice"), a monetary order for unpaid rent, and a monetary order for recovery of the filing fee, pursuant to sections 46, 55, 67, and 72(1) of the *Residential Tenancy Act* (the "Act"). This Decision pertains to the landlord's application.

Issues

1. Is the landlord entitled to an order of possession on a 10 Day Notice?
2. Is the landlord entitled to a monetary order for unpaid rent?
3. Is the landlord entitled to a monetary order for recovery of the filing fee?

Background and Evidence

The dispute resolution hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the *Rules of Procedure*, under the Act, requires that a hearing start at the scheduled time unless otherwise set by the arbitrator. Further, Rule 7.3 permits an arbitrator to conduct a hearing in the absence of any party, and may make a decision or dismiss the application, with or without leave to re-apply.

A hearing regarding the application was scheduled to commence at 9:30 a.m. on September 18, 2018. I dialed into the teleconference at 9:30 a.m. and monitored the teleconference line until 9:40 a.m. Neither the tenant nor the landlord dialed into the teleconference during this time. I confirmed that the correct call-in numbers and

participant codes had been provided in the Notice of Dispute Resolution Proceeding. The Internet monitoring system indicated that I was the only person in attendance.

Analysis

I find that the application has been abandoned.

Conclusion

I dismiss the landlord's application, with leave to reapply. However, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the application.

This decision is final and binding on the parties, unless otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: September 19, 2018

Residential Tenancy Branch