



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FFL, OPRM-DR

### Introduction

This hearing convened as a result of a Landlord's Application for an Order of Possession and monetary compensation by way of the Direct Request proceeding pursuant to section 55(4) of the *Residential Tenancy Act*. As the residential tenancy agreement filed in evidence did not contain the signature of the Tenants, the Adjudicator adjourned the Landlord's Application to a participatory hearing.

The participatory hearing was scheduled for teleconference before me at 9:30 a.m. on this date. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time.

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.

### Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides as follows:

#### **Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

**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 re-apply.

As neither party called into the hearing by 9:40 a.m., I dismiss the Landlord's claim with leave to reapply. I note this does not extend any applicable time limits under the *Act*.

This Decision is final and binding on the parties, except as 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 *Residential Tenancy Act*.

Dated: June 24, 2019

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Residential Tenancy Branch