



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

On March 26, 2020, the Landlord made an Application for Dispute Resolution seeking an Order of Possession based on an early termination of tenancy pursuant to Section 56 of the *Residential Tenancy Act* (the “Act”) and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

On March 26, 2020, this Application was set down for a hearing on April 21, 2020 at 11:00 AM.

The Tenant attended the hearing; however, the Landlord did not make an appearance during the 11-minute conference call.

Issue(s) to be Decided

- Is the Landlord entitled to an Order of Possession?
- Is the Landlord entitled to recover the filing fee?

Background and Evidence

This hearing was scheduled to commence via teleconference at 11:00 AM on April 21, 2020.

Rule 7.1 of the Rules of Procedure stipulates that 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.

I dialed into the teleconference at 11:00 AM and monitored the teleconference until 11:11 AM. The Tenant was the only party that 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 Hearing. I also confirmed from the teleconference system that the Tenant was the only other party who had called into this teleconference.

Analysis

As the Applicant did not attend the hearing by 11:11 AM, I find that the Application for Dispute Resolution has been abandoned.

As the Landlord was not successful in their claim, I find that the Landlord is not entitled to recover the \$100.00 filing fee paid for this application.

Conclusion

I dismiss the Application for Dispute Resolution without leave to reapply. In addition, I have not made any findings of fact or law with respect to this Application.

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: April 21, 2020

Residential Tenancy Branch