



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MAKOLA HOUSING  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

OPRM-DR, MNR

### Introduction

This hearing was initiated by way of a Direct Request Proceeding but was reconvened as a participatory hearing, as the Dispute Resolution Officer at the Direct Request Proceeding had insufficient evidence to conclude that the Ten Day Notice to End Tenancy was properly served on the Tenant.

The reconvened hearing was convened to consider the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to recover the fee for filing this Application for Dispute Resolution.

### Issue(s) to be Decided

Is the Landlord is entitled to an Order of Possession and to a monetary Order for unpaid rent?

### Background and Evidence

Section 61 of the *Residential Tenancy Act (Act)* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 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 decide or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 11:00 a.m. on April 02, 2020. I dialed

into the teleconference at 11:01 a.m. and monitored the teleconference until 11:12 a.m. Neither the Applicant nor the Respondent 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 I was the only person who had called into this teleconference.

### Analysis

I find that the Application for Dispute Resolution has been abandoned.

### Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply, as I have not made any findings of fact or law with respect to the 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 03, 2020

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Residential Tenancy Branch