



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Sik-E-Dakh Development Corporation Ltd.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      **OPRM-DR, FFL**

### Introduction

A participatory hearing, via teleconference call, was ordered by an Adjudicator on October 24, 2019 in response to a Landlord's application for an Order of Possession and Monetary Order for unpaid rent made under the Direct Request procedure. The participatory hearing was scheduled so that a determination may be made with respect to whether the *Residential Tenancy Act* ("the Act") applies to the agreement between the parties for a property located on Indian Lands. The participatory hearing convened on December 10, 2019 and reconvened on February 21, 2020 and April 28, 2020. Interim Decisions were issued and should be read in conjunction with this final decision.

At 11:00 a.m. on April 28, 2020, as scheduled, I connected to the teleconference call and there was no appearance by any of the parties. I waited at least 10 minutes to provide the parties the opportunity to appear and there was no appearance. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding sent to the parties.

As neither the applicant nor the respondent attended the hearing to present their arguments or evidence, **I make no determination as to whether the Act applies to the agreement between the parties for the subject property and I do not provide any orders to the landlord/applicant.**

I dismiss the Application for Dispute Resolution with leave to reapply; however, if another Application for Dispute Resolution is filed the party making the application should be prepared to demonstrate the Act applies. It is important to note that dismissing the Application Dispute Resolution with leave is not an indication that the Act applies. Nor does it extend any applicable time limits 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: April 29, 2020

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Residential Tenancy Branch