



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

IK 74 AVE PROJECTS INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **ET, FFL**

Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for early termination of a tenancy pursuant to section 56;
- Authorization to recover the filing fee for this application pursuant to section 72.

JA, advocate, attended with the tenant (“the tenant”). The tenant stated they were served with the Notice of Hearing and Application for Dispute Resolution by registered mail received May 25, 2020, the day before the hearing. The hearing process was explained, and an opportunity was given to ask questions about the hearing process.

The landlord did not attend the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional twenty minutes to allow the landlord the opportunity to call. The teleconference system indicated only the tenant and I had called into the hearing. I confirmed the correct call-in number and participant code for the tenant was provided.

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 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 reapply.

As the applicant did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed without leave to reapply.

Conclusion

I order the application dismissed without leave to reapply.

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: May 26, 2020

Residential Tenancy Branch