



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LATERAL WEST DEVELOPMENTS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPC, FFL

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* ("Act") for:

- an order of possession for cause based on a One Month Notice to End Tenancy for Cause, dated January 7, 2020 ("1 Month Notice"), pursuant to section 55; and
- authorization to recover the filing fee for this application, pursuant to section 72.

While the two respondent tenants attended the hearing by way of conference call, the applicant landlord did not, although I waited until 11:11 a.m. in order to enable the landlord to connect with this teleconference hearing scheduled for 11:00 a.m. 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 tenants and I were the only people who called into this teleconference.

The tenants confirmed receipt of the landlord's application for dispute resolution hearing package and the landlord's 1 Month Notice. In accordance with sections 88, 89 and 90 of the *Act*, I find that the tenants were duly served with the landlord's application and 1 Month Notice.

Rule 7.3 of the Residential Tenancy Branch *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 re-apply.*

In the absence of any appearance by the landlord, I order the landlord's entire application dismissed without leave to reapply.

The landlord's 1 Month Notice, dated January 7, 2020, is cancelled and of no force or effect.

This tenancy continues until it is ended in accordance with 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: June 02, 2020

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Residential Tenancy Branch