



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1144438 BC Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET

Introduction

The landlord filed an Application for Dispute Resolution on May 8, 2020 seeking an order to end the tenancy on the basis that the tenant poses an immediate and severe risk to the property, other occupants or the landlord. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “*Act*”) on June 11, 2020.

Neither the tenant nor the landlord attended the hearing, although I left the teleconference hearing connection open until 9:40 a.m. to enable all parties to call in to this teleconference hearing scheduled for 9:30 a.m.

I confirmed the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that neither party was in attendance.

Rules 7.3 of the Rules of Procedure provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to re-apply.

Issue(s) to be Decided

Is the landlord entitled to an order of possession that ends the tenancy for cause and without notice by section 56 of the *Act*?

Conclusion

As the applicant did not attend to present their Application, I dismiss the tenant's application for a cancellation of the Notice, with leave to reapply. While I have provided leave to reapply, it does not extend any applicable time limits under the *Act* and I have made no legal findings on the merits of the dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: June 12, 2020

Residential Tenancy Branch