



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

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 26, 2020 ("1 Month Notice"), pursuant to section 55.

While the respondent tenant 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 tenant and I were the only people who called into this teleconference.

The tenant confirmed receipt of the landlord's application for dispute resolution hearing package and the landlord's 1 Month Notice. The tenant confirmed the date of January 26, 2020, on the 1 Month Notice. In accordance with sections 88, 89 and 90 of the *Act*, I find that the tenant was 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 application dismissed without leave to reapply.

The landlord's 1 Month Notice, dated January 26, 2020, is cancelled and of no force or effect.

This tenancy continues until it is ended in accordance with the *Act*.

I notified the tenant of my decision verbally during the hearing and he confirmed his understanding of same.

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 05, 2020

Residential Tenancy Branch