



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPL

Introduction

The hearing was convened in response to an Application for Dispute Resolution filed by the Landlord, in which the Landlord applied for an Order of Possession.

Issue(s) to be Decided

Is the Landlord is entitled to an Order of Possession on the basis of a Two Month Notice to End Tenancy for Landlord's Use?

Background and Evidence

Section 61 of the *Residential Tenancy Act (Act)* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may decide or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 11:00 a.m. on June 05, 2020. The Tenant dialed into the teleconference prior to the scheduled start time. I monitored the teleconference until 11:12 a.m. The Landlord did not attend the hearing prior to the teleconference being terminated at 11:12 a.m.

Analysis

I find that the Landlord failed to diligently pursue the application and I therefore dismiss the application without leave to reapply.

Conclusion

The Application for Dispute Resolution is 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: June 05, 2020

Residential Tenancy Branch