



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPREIT LIMITED PARTNERSHIP  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

OPRM-DR, OPR-DR-PP, FFL

### Introduction

This hearing was initiated by way of a Direct Request Proceeding.

The Agent for the Landlord stated that on October 30, 2020 the Dispute Resolution Package and evidence the Landlord submitted to the Residential Tenancy Branch in October of 2020 were sent to the Tenant, via registered mail, at the rental unit. The Landlord submitted a Canada Post receipt that corroborates this testimony. On the basis of the undisputed evidence, I find that these documents were served to the Tenant in accordance with sections 88 and 89 of the *Residential Tenancy Act (Act)*.

The Adjudicator who considered the direct request determined that the matter should be considered at a participatory hearing.

This hearing was convened to consider the Landlord's application for an Order of Possession for Unpaid Rent, for a monetary Order for unpaid rent, and to recover the fee for filing this Application for Dispute Resolution.

### Issue(s) to be Decided

Is the Landlord is entitled to an Order of Possession and a monetary Order for unpaid rent?

### Background and Evidence

In the interim decision of November 20, 2020, the Adjudicator directed the Landlord to serve the Tenant with a copy of the Adjudicator's interim decision and a copy of the notice of reconvened hearing scheduled for January 12, 2021.

The Agent for the Landlord stated that he does not know how a copy of the interim decision and a copy of the notice of this reconvened hearing was served to the Tenant.

The Tenant did not attend the hearing on January 12, 2021.

### Analysis

As the Agent for the Landlord was unable to explain how notice of this reconvened hearing was served to the Tenant and the Tenant did not attend the hearing, I am unable to proceed with the hearing in the absence of the Tenant.

The Landlord's Application for Dispute Resolution is dismissed, with leave to reapply.

### Conclusion

The Landlord's Application for Dispute Resolution is dismissed, with 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: January 12, 2021

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Residential Tenancy Branch