



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT, FFT

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

This matter was set for a conference call hearing at 9:30 a.m. on this date. The Arbitrator called in to the hearing at the scheduled time. The line remained open while the phone system was monitored for ten minutes. The only Party who called into the hearing during this time was the Landlord who was ready to proceed. It was confirmed that the correct call-in numbers and participant codes were provided in the notice of hearing to the Applicant. The Landlord states that there is no basis for the Tenant’s claim for an order of possession and that there is neither an oral nor written tenancy agreement.

Section 62(4)(a) of the Act provides that the director may dismiss all or part of an application for dispute resolution if there are no reasonable grounds for the application or part. As the Applicant did not attend the hearing to pursue its application or give evidence on the claim for an order of possession and given the Landlord’s undisputed evidence of no basis for the claim, I find that there are no reasonable grounds for the claim for an order of possession. I therefore dismiss this claim and the claim for recovery of the filing fee 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 Act.

Dated: February 22, 2021

Residential Tenancy Branch