



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **OPR-DR, MNR-DR, FFL**

### Introduction

This hearing, reconvened from an *ex parte* Direct Request proceeding, dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an Order of Possession pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67; and
- authorization to recover the filing fee from the tenant pursuant to section 72.

This matter was set for hearing by telephone conference call at 9:30 pm. on this date. The line remained open while the phone system was monitored for fifteen minutes and the only participant who called into the hearing during this time was the respondent who was assisted by a family member.

A number of other individuals joined the teleconference hearing but they were all confirmed to be parties to a separate matter and had mistakenly connected to the present hearing. Callers who were confirmed to have no connection to the present application or dispute address were directed to disconnect from the teleconference call.

Rule 7.3 of the 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 reapply.

Therefore, as the applicant did not attend the hearing by 9:40 pm, and the respondent appeared and was ready to proceed, I dismiss the claim in its entirety 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*.

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Dated: August 23, 2021

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Residential Tenancy Branch