



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Lighthouse Realty Ltd  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      ET FFL

### Introduction

This expedited hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an early end to this tenancy and an Order of Possession pursuant to section 56; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

This matter was set for hearing by telephone conference call at 9:30 am on this date. The line remained open and the phone system was monitored for the full duration of the 10 minute hearing and the only participant who called into the hearing during this time was the agent of the respondents (the "tenant").

The tenant was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

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, and the respondent was present and ready to proceed, I dismiss the claim in its entirety without leave to reapply.

I note that filing an application for an expedited hearing and failing to pursue it diligently takes up the limited resources of the Branch, inconveniences the respondents, causes other, more meritorious matters, to be delayed in being scheduled and is an abuse of the dispute resolution process worthy of censure and rebuke.

I note that any further abuses of the dispute resolution system on the part of the landlord may give rise to the basis for a referral to the Compliance and Enforcement Unit of the Residential Tenancy Branch.

### Conclusion

The application is dismissed 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*.

Dated: April 22, 2022

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Residential Tenancy Branch