



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FFL

Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An Order of Possession for early end of a tenancy under section 56;
- Reimbursement of the filing fee under section 72.

This matter was set for hearing by telephone conference.

The tenant attended. The landlord did not attend although I left the teleconference hearing connection open for an additional ten minutes to enable them to call.

I confirmed that the Notice of Hearing provided the correct call-in numbers and participant codes. I also confirmed from the teleconference system that I was the only one who had called into this teleconference.

The tenant stated he had not been served with the Notice of Hearing and Application for Dispute Resolution by the landlord. He received an automatically generated notice from the RTB advising him of the date for the hearing.

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.*

As the applicant failed to attend the hearing and in the absence of any evidence or submissions, I order the application dismissed with leave to reapply.

Conclusion

As the applicant failed to attend the hearing and in the absence of any evidence or submissions, I order the application 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: May 20, 2022

Residential Tenancy Branch