



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **ET**

Introduction

This hearing was convened by conference call as a result of the Landlords' application for dispute resolution ("Application") under the *Residential Tenancy Act* (the "Act") for an early termination of the tenancy and an Order of Possession pursuant to section 56.

Neither of the Landlords attended this hearing scheduled for 9:30 am. I left the teleconference hearing connection open for the entire hearing, which ended at 9:43 am, in order to enable the Landlords call into this teleconference hearing. The Tenant attended the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding ("NDPR"). I also confirmed from the teleconference system that the Tenant and I were the only ones who had called into this teleconference.

The Tenant stated he was not served with the NDRP by the Landlords. The Tenant stated he received an email from the Residential Tenancy Branch ("RTB") advising him of today's hearing. The Tenant stated he called the RTB to inquire about the email and he was provided with the details to enter the conference for the hearing.

Preliminary Matter – Effect of Non-Attendance by Landlords

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* ("Rules") state:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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 the party, or dismiss the application, with or without leave to re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Given the Landlords did not attend the hearing before it concluded at 9:43 am, the Application is dismissed with leave to reapply.

Conclusion

The Application 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: May 19, 2022

Residential Tenancy Branch