



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Code OLC

Introduction

The tenant made an application for dispute resolution seeking an order pursuant to section 62 of the *Residential Tenancy Act* (the “Act”).

A dispute resolution hearing was held by teleconference on January 27, 2023 at 9:30 AM (Pacific Time) and only the respondent landlord attended. The hearing was ended after several minutes after the applicant tenant failed to attend.

Preliminary Issue and Conclusion

In a dispute resolution proceeding, the person making a claim must provide evidence that it is more likely than not that the facts occurred as claimed. This is known as the “balance of probabilities” standard of proof. The burden of proof is on the applicant.

In this dispute, the applicant failed to attend the hearing and as such their application for dispute resolution is dismissed without leave to reapply.

As an aside, I note that both parties referred to a notice to end tenancy that *may* have been the actual issue in dispute. However, neither party made an application to either dispute the notice or an application for an order of possession.

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: January 27, 2023

Residential Tenancy Branch