

## **DECISION**

Dispute Codes      RI

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain an Order to allow an additional rent increase.

No one was in attendance for the applicant Landlord however the respondent Tenant appeared at the hearing.

### Issue(s) to be Decided

Is the Landlord entitled to an Order under section 43 of the Residential Tenancy Act?

### Background and Evidence

The Tenant advised that the given name listed on the application for dispute resolution is not her name; that she moved out of the rental unit on November 27, 2009; and the Tenant provided me with her new mailing address.

There was no additional evidence or testimony provided in support of the Landlord's claim as no one attended on behalf of the landlord.

### Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. In the absence of the applicant Landlord, the telephone line remained open while the phone system was monitored for

ten minutes and no one on behalf of the applicant Landlord called into the hearing during this time. Based on the aforementioned I find that the Landlord has failed to present the merits of his application and the application was dismissed.

Conclusion

I HEREBY DISMISS the Landlord's application, 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: December 18, 2009.

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Dispute Resolution Officer