Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes   OPR MNSD MNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain an Order of Possession and a Monetary Order for unpaid rent, to keep the security deposit and to recover the cost of the filing fee from the Tenants for this application.

No one was in attendance for either the Landlord or the Tenants.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession and Monetary Order pursuant to Sections 38, 55, 67, and 72 of the *Residential Tenancy Act?*

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

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 and respondent Tenants, the telephone line remained open while the phone system was monitored for ten minutes and no one on

behalf of the applicant Landlord or respondent Tenants called into the hearing during this time. Based on the aforementioned I find that the Landlord has failed to present the merits of their application and the application is hereby dismissed with leave to reapply.

Conclusion

I HEREBY DISMISS the Landlord's application 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: January 10, 2011.

Residential Tenancy Branch