DECISION

<u>Dispute Codes</u>   OPR, MNR, MNSD, FF

<u>Introduction</u>
Pursuant to section 58 of the *Residential Tenancy Act* (the *Act)* and amendments thereto, I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an Order of Possession for unpaid rent pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67;
- authorization to retain the tenant's security deposit pursuant to section 38; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 1:42 p.m. to enable them to participate in this hearing.

Rule 10.1 of the Rules of Procedure provides as follows:

> **10.1 Commencement of the hearing** The hearing must commence at the scheduled time unless otherwise decided by the dispute resolution officer. The dispute resolution officer may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Accordingly, **in the absence of any evidence or submissions I order the application dismissed with liberty to reapply**. I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

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: March 02, 2011

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                                         Residential Tenancy Branch