



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Peak Property Management Inc.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      O

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for other remedies, which the landlord described in the application as an Order of Possession for the tenants' failure to vacate the premises in accordance with the terms of their fixed term tenancy agreement.

Neither party attended at the appointed time set for the hearing, although I waited until 1:46 p.m. to enable them to participate in this hearing scheduled for 1:30 p.m.

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 arbitrator. The arbitrator 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 anyone attending this hearing, 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: September 12, 2013

---

Residential Tenancy Branch

