



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPREIT LIMITED PARTNERSHIP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction and Preliminary Matter

This matter was set for hearing by telephone conference call at 10:30 a.m. on March 1, 2016. The only participant who called into the hearing was the Landlord's Site Administrator, J.Z.

J.Z. noted that the Tenants erroneously noted the address of the rental unit on the Application for Dispute Resolution in that they forgot to include the word "East". A review of the application confirms that they correctly noted the Landlord's address, which, according to J.Z., is in the same building.

Pursuant to section 64(3)(c) of the *Residential Tenancy Act* I amend the Tenants' Application for Dispute Resolution to correctly indicate the rental unit's address; consequently, the style of cause on this my Decision and Order correctly noted the rental address.

Analysis and Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of Hearing: The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

Rule 7.3 provides as follows:

Consequences of not attending the hearing: If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

As the Applicants did not attend the hearing by 10:40 a.m., and the Respondent Landlord appeared and was ready to proceed, I dismiss the Tenants' claim without leave to reapply.

The Tenants' Application to cancel the Notice is dismissed; accordingly, and pursuant to section 55 of the *Residential Tenancy Act*, the Landlord is granted an Order of Possession which will be effective two (2) days after service on the Tenants. If required the Landlord may file and enforce the Order in the B.C. Supreme Court.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 01, 2016

Residential Tenancy Branch

