



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

On August 11, 2021, the Landlord submitted an Application for Dispute Resolution under Section 56 of the *Residential Tenancy Act* (the “Act”) requesting that the tenancy end early and for an Order of Possession for the rental unit. The matter was set for an expedited participatory hearing via conference call.

Preliminary Matters

This hearing was scheduled for a conference call hearing on this date.

Rule 7.1 of the *Residential Tenancy Branch - Rules of Procedure* stipulates that 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.

The Applicant/Landlord was emailed a copy of the Notice of a Dispute Resolution Proceeding by the Residential Tenancy Branch on August 18, 2021; however, the Applicant did not attend the teleconference hearing set for today at 9:30 a.m. The only person to call into the hearing was the Respondent who indicated that they had moved out of the rental unit on September 8, 2021.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding package. I also confirmed from the teleconference system that the only persons who had called into this teleconference was the Respondent and myself.

After keeping the phone line open for 10 minutes, I dismissed the Applicant’s Application without leave to reapply as the Applicant failed to attend the hearing to present the merits of their Application or, at the very least, cancel their scheduled hearing in advance of the hearing.

Analysis

As the Applicant did not attend this hearing, I dismiss the Application for Dispute Resolution without leave to reapply.

Conclusion

I dismiss the Application for Dispute Resolution 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: September 09, 2021

Residential Tenancy Branch