



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

PFR

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlords applied for vacant possession of the rental units for the purposes of making repairs/renovations.

Issue(s) to be Decided

Are the Landlords entitled to an Order of Possession because the Landlord requires vacant possession of the units for the purposes of making repairs/renovations?

Background and Evidence

Section 61 of the *Residential Tenancy Act (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 a teleconference hearing.

Rule 10.1 of the 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 decide or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 9:30 a.m. today. The Tenant attended the scheduled start time of the hearing. By the time the teleconference was terminated at 9:41 a.m., the Landlord had not attended.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Tenant and I were the only people in the teleconference.

The Tenant stated that the Application for Dispute Resolution was posted on the door of her rental unit, although she does not recall when it was received. The Tenant stated that the Landlord informed her that the hearing had been rescheduled from May 13, 2022 to today.

Analysis

I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply, as I have not made any findings of fact or law with respect to the Application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: June 02, 2022

Residential Tenancy Branch