

DECISION

Dispute Codes CNR OLC OPT AS O

Introduction

This hearing convened on December 23, 2009, and reconvened for the present session on February 5, 2010. This decision should be read in conjunction with my interim decision of December 24, 2009.

Issues(s) to be Decided

Is the Tenant entitled to Orders to a) cancel a notice for unpaid rent, b) have the Landlord comply with the Act, c) obtain an order of possession, d) allow the tenant to sublet the rental unit, and e) other issues.

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

Analysis

Section 61 of the *Residential Tenancy 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 an oral teleconference hearing.

In the absence of the applicant Tenant and respondent Landlords, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenant or respondent Landlords called into the hearing during this time. Based on the aforementioned I find that the Tenant has failed to present the merits of his application and the application is hereby dismissed, with leave to reapply.

Conclusion

I HEREBY DISMISS the Tenant's application, with 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: February 05, 2010.

Dispute Resolution Officer