



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes DRI CNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to dispute an additional rent increase, to cancel a notice to end tenancy for unpaid rent, and for other reasons.

No one was in attendance for the applicant Tenant however the respondent Landlord appeared at the hearing.

Issue(s) to be Decided

1. Has an additional rent increase been implemented in breach of the Act?
2. Was the Notice to End Tenancy issued in accordance with the Act?
3. If not, has the Tenant met the burden of proof to cancel the Notice?

Background and Evidence

There was no additional evidence or testimony provided in support of the Tenant's claim as no one attended on behalf of the Tenant.

The Landlord advised the Tenant vacated the property on approximately March 31, 2011.

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, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenant 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 dismissed.

Conclusion

I HEREBY DISMISS the Tenant's application, 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: April 07, 2011.

Residential Tenancy Branch