



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

Landlord: OPQ  
Tenant: CNQ

### **Introduction**

This matter was originally set for hearing on January 30, 2013 but was adjourned to the present session as it had been joined in error with two other applications.

This hearing addresses applications by both the landlord and the tenant.

By application of January 21, 2013, the landlord sought an Order of Possession pursuant to a two-month Notice to End Tenancy served by posting on the tenant's door on December 21, 2013. Notice was given on the grounds that the tenant no longer qualified for subsidized rent.

By prior application of January 4, 2012, the tenant sought to have the Notice to End Tenancy set aside.

The hearing reconvened at 11 a.m. on February 28, 2013 as scheduled and was held open for 25 minutes; however, the landlord did not call in to the number provided to enable her participation in the telephone conference call hearing which was attended by the tenant and her advocate.

Therefore, the landlord's application is dismissed without leave to reapply.

As requested by the tenant, the Notice to End Tenancy is set aside and the tenancy continues.

Conclusion

The landlord's application is dismissed without leave to reapply for failure to attend the reconvened hearing.

The Notice to End Tenancy of December 21, 2012 is set aside and the tenancy continues.

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 28, 2013

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Residential Tenancy Branch

