



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

For the tenant - MT, FF

For the landlord – OPC, MNDC, FF

### Introduction

This hearing was convened by way of conference call in response to both parties' applications for Dispute Resolution. The tenant has applied for more time to file an application to cancel a Notice to End Tenancy and to recover the filing fee from the landlord for the cost of this application. The landlord has applied for an Order of Possession for cause; for a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulations or tenancy agreement; and to recover the filing fee from the tenant for the cost of this application.

The hearing went ahead as scheduled the tenant dialed into the conference call. The telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the landlord called into the hearing during this time. The landlord did dial into the hearing just as the hearing concluded at 9.47 a.m. and I explained to the landlord that the tenant's testimony had been heard and I had just ended the hearing. Based on this I find that the landlord has failed to present the merits of his application and the application is dismissed without leave to reapply.

The tenant states that she moved from the rental unit on September 30, 2013.

Preliminary Issues

The tenant has applied for more time to cancel a Notice to End Tenancy. However, no legal Notice under section 47 of the *Act* has been issued or served upon the tenant. Consequently the tenant's application has no merit and is also dismissed without leave to reapply.

Conclusion

Both applications have been dismissed 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: October 30, 2013

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Residential Tenancy Branch

