Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   ERP, RP, CNR, PSF

Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "Notice"), an order requiring the landlord to make repairs and emergency repairs to the rental unit, and an order requiring the landlord to provide services or facilities required by law.

The hearing began at 10:30 a.m. as scheduled and the telephone system remained open and was monitored for 10 minutes.

During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlord's agent (hereafter "landlord") was present and announced that the landlord had previously filed an application for dispute resolution under the Direct Request proceeding pursuant to section 55(4) of the Act, resulting in an order of possession for the rental unit due to unpaid rent being issued to the landlord on October 1, 2013. The landlord stated that this order of possession had been served upon the tenant and that the tenant was actively moving out of the rental unit as of the night before the hearing.

Analysis and Conclusion

In the absence of the tenant to present her claim, pursuant to section 10.1 of the Residential Tenancy Branch Rules of Procedure (Rules), I 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* and is being mailed to both the applicant and the respondent.

Dated: October 22, 2013

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Residential Tenancy Branch