



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the landlord: OPC
For the tenant, E.K.: CNC OLC LRE LAT FF

Introduction

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The landlord applied for an order of possession for cause, while tenant E.K. applied to cancel a 1 Month Notice to End Tenancy for Cause, for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, to authorization to change the locks to the rental unit and to recover the cost of the filing fee.

The hearing began at 11:00 a.m., Pacific Time, on Thursday, September 11, 2014, as scheduled and the telephone system remained open and was monitored for 26 minutes. The only party to call into the teleconference hearing was the landlord and a witness for the landlord, L.K. Following the ten minute waiting period, **the application of the tenant was dismissed without leave to reapply** as the applicant tenant, E.K., failed to attend the hearing to present the merits of his application. I note that during the hearing, landlord witness, L.K., who is also a tenant, testified that while she is a tenant, she did not support the application of joint tenant E.K., and was not appearing at the hearing as agent for tenant E.K., and was only attending the hearing as a witness for the landlord.

The landlord requested to withdraw the landlord’s application in full. The landlord’s request to withdraw the landlord’s application in full was granted as it does not prejudice the tenant.

Given the above, I have not considered the merits of the landlord's application. The landlord is at liberty to reapply. I note this decision does not extend any applicable timelines under the *Act*.

Conclusion

The tenant's application has been dismissed without leave to reapply.

The landlord's application was withdrawn in full. I make no findings on the merits of the landlord's application. The landlord is at liberty to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: September 11, 2014

Residential Tenancy Branch

