



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## A DECISION

Dispute Codes

CNR, MNDC, OLC

The applicant failed to appear at the scheduled time for the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. . I then proceeded with the hearing in the absence of the respondent. .

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling a 10 day Notice to End Tenancy dated January 24, 2015?
- b. Whether the tenant is entitled to a monetary order and if so how much?

The applicant failed to attend the hearing. The respondent was present. In the absence of any evidence and submission from the applicant I ordered that the application be dismissed without leave to re-apply.

The Residential Tenancy Act provides that where an application to cancel a 10 day Notice to End is dismissed, the arbitrator will issue an Order for Possession upon request by the landlord. I declined to issue an Order for Possession as the Notice to End Tenancy related to another unit in the rental property. The landlord will have to file its own claim if there has been a non-payment of rent for that other rental unit.

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 17, 2015

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Residential Tenancy Branch

