



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR, OLC, MNDC

Introduction and Preliminary Matters

This was the reconvened hearing dealing with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "Notice"), for an order requiring the landlord to comply with the Act, regulations, or tenancy agreement, and a monetary order for money owed or compensation for damage or loss.

This hearing began on February 3, 2015, and was attended by the tenant, his daughter, and his legal advocate. The landlord did not attend, even though he had been properly served with the tenant's application and notice of hearing. The legal advocate requested an adjournment and that request was granted. An Interim Decision was entered on February 3, 2015, should be read in conjunction with this Decision.

This reconvened telephone conference call hearing began at 9:00 a.m. as scheduled and the telephone system remained open and was monitored for 15 minutes.

During this time, neither the tenant nor the landlord attended; however, the tenant's legal advocate attended and submitted that the tenant, who still does not have a fixed address, confirmed with her 2 days prior to the hearing via email that he would be attending. The legal advocate was not sure why the tenant was not present.

Analysis and Conclusion

In the absence of the tenant to present his claim, pursuant to section 10.1 of the Dispute Resolution Rules of Procedure (Rules), I dismiss the tenant's application, with leave to reapply.

Leave to reapply is not an extension of any applicable limitation period.

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: April 1, 2015

Residential Tenancy Branch

