



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNE, MNSD, LRE, LAT, RR, O, FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("the *Act*"), I was designated to hear this matter. The tenant applied for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause or End of Employment pursuant to section 47;
- a monetary order for compensation under the *Act*, regulation or tenancy agreement pursuant to section 67;
- authorization to obtain a return of his security deposit pursuant to section 38;
- an order to the landlord to make repairs to the rental unit pursuant to section 33;
- an order to set conditions on the landlord's right to enter pursuant to section 70;
- authorization to change the locks to the rental unit pursuant to section 70;
- an order to allow the tenant to reduce rent pursuant to section 65;
- recovery of the filing fee for this application pursuant to section 72; and
- another unspecified remedy or compensation under the *Act*.

The Respondent (the landlord) appeared at the date and time set for the hearing of this matter. The Applicant (the tenant) did not, although I waited until 11:15 a.m. to enable him to connect with this teleconference hearing.

Issues to be Decided

Should the landlord's 1 Month Notice to End Tenancy for Cause or End of Employment be cancelled? Is the tenant entitled to any or all of the following; monetary order for compensation for damage or loss; authorization to obtain a return of all or a portion of her security deposit; an order to the landlord to make repairs to the rental unit; an order to suspend or set conditions on the landlord's right to enter the rental unit; authorization to change the locks to the rental unit; an order to allow the tenant(s) to reduce rent for repairs or services not provided as agreed upon; authorization to recover the filing fee for this application from the landlord and any other unspecified remedy or compensation under the *Act*?

Background, Evidence, Analysis

The landlord attended this hearing in response to the tenant's application. The tenant's application sought a variety of remedies including monetary compensation. The landlord provided sworn testimony that the dispute between the landlord and tenant had been resolved. He testified that he had returned the tenant's security deposit and provided a further amount in compensation.

Rule 10.1 of the Rules of Procedure provides as follows:

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

In the absence of the applicant's participation in this hearing, and given the sworn evidence provided by the landlord, I order the application dismissed without liberty to reapply.

Conclusion

I order the tenant's application dismissed without liberty 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: April 15, 2015

Residential Tenancy Branch

