



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNR

### Introductory Matters:

This was an application brought by a tenant to cancel a Notice to End the Tenancy for non-payment of rent dated August 25, 2015. Only the landlord attended the hearing conducted by telephone conference call.

The applicant failed to participate in the hearing at the appointed time notwithstanding the elapse of **ten** minutes. Rule 10.1 of the Rules of Procedure provides:

#### *Commencement of the dispute resolution proceeding*

*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.*

I have dismissed the tenant's application to cancel the Notice to End the Tenancy. The landlord advised that as tenant had vacated the unit by September 30, 2015 he was not requesting an Order for Possession. The landlord testified that there were arrears in rent of \$ 1,090.00 and unpaid utilities amounting to \$ 138.74.

### Conclusion:

The application is dismissed. The landlord is cautioned to deal with the security deposit in accordance with section 38 of the Act.

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: October 20, 2015

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Residential Tenancy Branch

