



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: CNR, CNC, MNR, OPC, OPR, MNDC, MNSD, FF

Introduction:

This was an application by a tenant to cancel a Notice to End the Tenancy for non-payment of rent dated September 11, 2015 and a Notice to End the Tenancy for cause dated September 5, 2015. The landlord brought a cross application for an Order for Possession pursuant to the aforementioned notices as well as a monetary Order for unpaid rent. Only the tenant attended the application which lasted for fourteen minutes.

Issues:

Is the tenant entitled to any relief?

Is the landlord entitled to an Order for Possession and monetary Order?

Preliminary Matters:

At the outset of the hearing the tenant advised that she was no longer living in the unit. I began to explain to her that as she only brought an application to cancel two Notices to End the Tenancy there could not be any remedy available to her because the tenancy was now at an end. The tenant then four minutes into the hearing, became very verbally abusive and disconnected from the conference call hearing before I could explain what other remedies she might have. I waited on the line until fourteen minutes past the appointed hour for the hearing and when no other person attended I concluded the hearing.

Analysis

As the tenancy was now at an end I have dismissed all applications brought by the tenant. The landlords failed to participate in the hearing at the appointed time notwithstanding the elapse of **fourteen** 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 all of the landlords' applications herein.

Conclusion:

I have dismissed all of the tenant's and landlords' applications herein. There will not be any recovery of the filing fees to either party.

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: November 17, 2015

Residential Tenancy Branch

