



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, MNDC, MNSD, OLC, ERP, LRE, AAT, RR, O

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied:

- to set aside a Notice to End Tenancy for Cause;
- for a monetary Order for money owed or compensation for damage or loss;
- for the return of his security deposit;
- for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement;
- for an Order suspending or setting conditions on the Landlord's right to enter the rental unit;
- for authority to access the rental unit;
- for a rent reduction; and
- for "other".

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Is there a need for an Order granting the Tenant authority to access the rental unit?

Is there a need to suspend or set conditions on the Landlord's right to enter the rental unit?

Is the Tenant entitled to a rent reduction, a monetary Order, or the return of his security deposit?

Background and Evidence

Section 61 of the *Act* stipulates that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 10:30 a.m. on August 16, 2016. I dialed into the teleconference at 10:30 a.m. and monitored the teleconference until 10:41 a.m. Neither the Applicant nor the Respondent dialed into the teleconference during this time.

Analysis

I find that the Application for Dispute Resolution has been abandoned.

As the Tenant did not attend the hearing to establish that the evidence submitted to the Residential Tenancy Branch were served to the Landlord, including the Notice to End Tenancy, I have not considered that evidence.

Conclusion

I dismiss the Application with leave to reapply, as I have not made any findings of fact or law with respect to the application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: August 17, 2016

Residential Tenancy Branch

