



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP, RP, RR, MT

This is an application brought by the tenant requesting an order canceling a Notice to End Tenancy that was given for nonpayment of rent, requesting an order allowing the tenant more time to file an application to cancel a Notice to End Tenancy, requesting an order for repairs, requesting an order for emergency repairs, and requesting an order allowing the tenant to reduce the rent for repairs, services, or facilities agreed-upon but not provided.

No hearing was held however because, even though I waited until well past the time at which the hearing was to start, no one joined the conference call that was set up for the hearing.

Section 55 of the Residential Tenancy Act states:

55 (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if

(a) the landlord's notice to end tenancy complies with section 52 [*form and content of notice to end tenancy*], and

(b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

In this case the applicant did not supply a copy of the Notice to End Tenancy and I am therefore unable to determine if it does comply with section 52 of the Act.

Conclusion

I therefore dismiss this application with leave to re-apply, however, since I am unable to determine whether the Notice to End Tenancy complies with section 52 of the Act, I will not be issuing an Order of Possession.

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: March 21, 2017

Residential Tenancy Branch

