



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1763396 ALBERTA LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR  
                              CNR, DRI

### Introduction

This hearing was convened by way of conference call concerning applications made by the landlord and by the tenant. The landlord has applied for an Order of Possession and a monetary order for unpaid rent or utilities. The tenant's application disputes a rent increase and seeks an order cancelling a notice to end the tenancy for unpaid rent or utilities.

An agent for the landlord attended the hearing, however the line remained open while the phone system was monitored for 10 minutes and no one for the tenant joined the call.

The landlord's agent advised that the parties have settled this dispute and no orders are sought. The landlord withdraws the application.

Since the tenant has not joined the conference call hearing, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favor of the landlord. However, given that the landlord has possession of the rental unit and has withdrawn the application, I decline to issue the Order of Possession.

### Conclusion

For the reasons set out above, the tenant's application is hereby dismissed without leave to reapply.

The landlord's application is withdrawn.

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: May 25, 2017

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Residential Tenancy Branch