



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP, RP, LAT, LRE, MNR, MNDC, MNSD, OLC, PSF, RR, SS, FF

Introduction

This hearing was scheduled to convene at 9:30 a.m. this date by way of conference call concerning an application made by the tenant seeking the following relief:

- an order cancelling a notice to end the tenancy for unpaid rent or utilities;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order that the landlord make repairs to the unit, site or property;
- an order permitting the tenant to change the locks to the rental unit;
- an order suspending or setting conditions on the landlord's right to enter the rental unit;
- a monetary order for the cost of emergency repairs;
- a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement;
- a monetary order for return of all or part of the pet damage deposit or security deposit;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement;
- an order that the landlord provide services or facilities required by the tenancy agreement or law;
- an order reducing rent for repairs, services or facilities agreed upon but not provided;
- an order permitting the tenant to serve documents in a different way than described in the *Act*; and
- to recover the filing fee from the landlord for the cost of the application.

The landlord attended the hearing with a witness, prepared to respond to the tenant's claims, however the line remained open while the phone system was monitored for in excess of 10 minutes and no one for the tenant joined the call. Therefore 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 favour of the landlord, so long as the notice given is in the approved form. In this case, no one has provided a copy and therefore, I cannot be satisfied that any notice given by the landlord is in the approved form, and I decline to grant an Order of Possession.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed.

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 18, 2017

Residential Tenancy Branch