



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes                      CNR, FF, LRE, MNDC, OLC, PSF

### Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the 10 day Notice to End Tenancy dated May 2, 2017.
- b. An order to recover the cost of the filing fee.
- c. An order to suspend or set conditions on the landlord's right to enter the rental unit.
- d. A monetary order in the sum of \$37.50.
- e. An order that the landlord comply with the Act, regulation and/or tenancy agreement.
- f. An order that the landlord provide services or facilities required by the tenancy agreement or law.

The applicant failed to contact the telephone bridge number at the scheduled start of the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing in the absence of the applicant. The respondent testified the applicant gave notice to end the tenancy at the end of June 2017 and that she intends to vacate the rental unit at that time.

In the absence of any evidence or submissions from the applicant I order the application dismissed without liberty to reapply. The Act provides that where an arbitrator dismisses the tenant's application to cancel a Notice to End Tenancy the arbitrator must issue an Order of Possession. However, in this case the tenant paid the arrears within 5 days of receiving the 10 day Notice to End Tenancy and the Notice is void. Thus there is no basis for 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: June 13, 2017

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Residential Tenancy Branch

