



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, MT, O

### Introduction

This teleconference hearing convened as a result of a Tenants' Application for Dispute Resolution filed June 20, 2017 wherein the Tenant sought to cancel a 2 Month Notice to End Tenancy Because the Tenant Does Not Qualify for Subsidized Rental Unit, more time to make such an application pursuant to section 66 of the *Residential Tenancy Act*, as well as other unspecified relief.

The hearing was scheduled for 3:00 p.m. on August 1, 2017. The line was monitored for 10 minutes and only the Landlord's representatives, Y.B., and R.M. called into the hearing.

### Analysis and Conclusion

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* provides in part as follows:

#### **7.1 Commencement of the dispute resolution hearing**

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

#### **7.2 Delay in the start of a hearing**

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

### **7.3 Consequences of not attending the hearing**

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

The Tenant bears the burden of proving her claim on a balance of probabilities. As she failed to call into the hearing her application is dismissed without leave to reapply.

Having dismissed the Tenant's claim, and pursuant to section 55 of the *Residential Tenancy Act*, the Landlord is entitled to an Order of Possession. **I therefore grant the Order of Possession which will be effective two (2) days after service on the Tenant.** Should the Tenant fail to move out of the rental unit as ordered the Landlord may file and enforce the Order of Possession in the B.C. Supreme Court.

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: August 1, 2017

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Residential Tenancy Branch