



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MID-MOUNTAIN DEVELOPMENTS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant under the *Residential Tenancy Act* (the “Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated June 14, 2017 (the “10 Day Notice”) and to recover the cost of the filing fee.

The tenant was provided with a copy of the Notice of a Dispute Resolution Hearing dated June 20, 2017. The tenant however, did not attend the teleconference hearing set for this date, Friday August 18, 2017 at 9:30 a.m. Pacific Time. The phone line remained open for 11 minutes and was monitored throughout this time.

The only persons to call into the hearing were two agents for the respondent named landlord company who were ready to proceed and indicated that the tenant is no longer occupying the rental unit as of July 7, 2017.

Preliminary and Procedural Matter

At the outset of the hearing, the agents for the landlord were advised that the Rules of Procedure do not permit the landlord to make a monetary claim through the tenant's application. This information was provided as the landlord submitted a monetary order worksheet but did not file their own application. As a result, the agents were informed that they are required to make their own application if seeking a monetary amount from the tenant.

Conclusion

Following the ten minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant failed to attend the hearing to present the merits of their application and the landlord agents did attend and were ready to proceed. The agents for the landlord confirmed that they did not require an order of possession as the tenant no longer occupies the rental unit.

This decision does not extend any applicable time limits under the *Act*.

This decision is final and binding on the parties, except as otherwise provided under the *Act*, and 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 18, 2017

Residential Tenancy Branch