



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL CNQ MNDC MT OLC FF O

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, dated February 7, 2017 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling notices to end tenancy for landlord's use of property;
- a monetary order for compensation or money owed for damage or loss;
- an order granting more time to make an application for dispute resolution;
- an order that the Landlord comply with the Act, regulation, or a tenancy agreement;
- an order granting recovery of the filing fee; and
- other unspecified relief.

The hearing of this matter was originally set for hearing by telephone conference call at 1:00 P.M. (Pacific Time) on September 13, 2017. However, it was rescheduled and set for hearing by telephone conference call at 1:30 P.M. (Pacific Time) on September 27, 2017. The parties were provided with a Notice of a Rescheduled Dispute Resolution Hearing, dated September 12, 2017. Audit notes on the file confirm an information officer spoke with the Applicant on that date and advised that the new hearing information would be emailed to her.

I called into the telephone conference hearing to discover that other unrelated parties had also called into the hearing, including another arbitrator. The Respondent also called into the hearing. Accordingly, the Respondent was directed to call into a new hearing using another access code. The arbitrator remaining in the original hearing was provided with the access code and was asked to provide it to the Applicant if she called into that hearing. The new hearing remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Respondent. Therefore, as the Applicant did not attend the hearing by 1:40 P.M., and the Respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

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: September 27, 2017

Residential Tenancy Branch

