



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LOCKE PROPERTY MANAGEMENT LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes          CNC

### Introduction

This hearing was set for a telephone conference call at 9:00 a.m. in response to the Tenant's application to cancel a notice to end tenancy for cause. The telephone line remained open while the phone system was monitored for 50 minutes and no participant called into the hearing during this time. However, during that time, the telephone conference call was experiencing a technical difficulty which was preventing access to the hearing. According, the Residential Tenancy Branch contacted the parties to advise of this issue. The Landlord informed the Information Office that he had already obtained an Order of Possession for unpaid rent and the Tenant had moved out of the rental unit.

### Analysis & Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states 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. As neither party called into the conference call by 9:50 a.m., and the Landlord had already obtained an order to end this tenancy, I find the Tenant's Application to cancel the notice to end tenancy for cause is now moot. Therefore, I dismiss the Tenant's Application without leave to re-apply. 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: October 16, 2017

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Residential Tenancy Branch