



Dispute Resolution Services

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Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding Marland Motel
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: CNL

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to cancel a Notice to End Tenancy for Landlord's Use of Property.

Issue(s) to be Decided

Should the Notice to End Tenancy for Landlord's Use of Property be set aside?

Background and Evidence

The hearing was scheduled for 10:30 a.m. on October 25, 2017. The Landlord was represented at the hearing but by the time the teleconference was terminated at 1:43 a.m., the Tenant had not appeared.

The Agent for the Landlord stated that the rental unit has been vacated and an Order of Possession is not required.

Analysis

I find that the Tenant failed to diligently pursue the application and I therefore dismiss the application without leave to reapply.

As the rental unit has been vacated, I find it is not necessary to issue an Order of Possession.

Conclusion

The Application for Dispute Resolution is dismissed, 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: October 26, 2017

Residential Tenancy Branch