



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FF

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for landlord's use of property; for an order that the landlord comply with the *Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

An agent for the landlord attended the hearing, however the line remained open while the phone system was monitored for in excess of 10 minutes and no one for the tenant joined the call. The landlord appeared prepared to respond to the tenant's application, and the landlords' agent advised that the tenant has vacated the rental unit, and the landlord has possession. Therefore, I dismiss the tenant's application.

Conclusion

For the reasons set out above, the tenant's application is dismissed. Since the landlord has possession of the rental unit, I decline to issue an Order of Possession.

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 05, 2017

Residential Tenancy Branch