



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MND, MNDC, MNSD, FF; CNR, CNC, OLC, PSF, LAT, FF

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (“*Act*”), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an order of possession for unpaid rent, pursuant to section 55;
- a monetary order for unpaid rent, for damage to the rental unit, and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* (“*Regulation*”) or tenancy agreement, pursuant to section 67;
- authorization to retain the tenants’ security deposit, pursuant to section 38; and
- authorization to recover the filing fee for her application, pursuant to section 72.

The tenants also filed a cross-application pursuant to the *Act*, regarding the above-noted tenancy. The tenants applied for:

- cancellation of the landlord’s 10 Day Notice to End Tenancy for Unpaid Rent (“10 Day Notice”), pursuant to section 46;
- cancellation of the landlord’s 1 Month Notice to End Tenancy for Cause (“1 Month Notice”), pursuant to section 47;
- an order requiring the landlord to comply with the *Act*, *Regulation* or tenancy agreement, pursuant to section 62;
- authorization to change the locks to the rental unit, pursuant to section 70;
- an order requiring the landlord to provide services or facilities required by law, pursuant to section 65; and
- authorization to recover the filing fee for their application, pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 9:40 a.m. to enable them to participate in this hearing scheduled for 9:30 a.m.

Rule 7.3 of the Residential Tenancy Branch *Rules of Procedure* provides as follows:

7.3 Consequences of not attending the hearing: 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.

Accordingly, **in the absence of anyone attending this hearing, I order the application dismissed with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

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: December 07, 2017

Residential Tenancy Branch