



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

Dispute Codes: CNR

## Introduction:

The Application for Dispute Resolution filed by the Tenant seeks an order to cancel the 10 day Notice to End Tenancy dated December 5, 2017 and January 1, 2018.

The applicant failed to contact the telephone bridge number at the scheduled time for the hearing. The respondent was present and ready to proceed. The telephone line remained open while the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing.

As the applicant failed to appear I ordered that that application be dismissed without leave to re-apply.

The Residential Tenancy Act provides that where an arbitrator has dismissed a tenant's application to cancel a Notice to End Tenancy, the arbitrator must grant an Order of Possession provided the landlord has served a valid Notice in form and content. In this case the landlord acknowledged that the \$150 set out in the 10 day Notice to End Tenancy was not for rent but was for repairs caused by a plumbing problem. I determined it was not appropriate to grant an Order of Possession as rent was not owed and the content was not correct.

The landlord retains the right to file an Application for Dispute Resolution seeking a monetary order for the damages and the cost of the filing fee.

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: January 23, 2018

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Residential Tenancy Branch