



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1108166 BC LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes Landlord: OPL OPC
 Tenant: MT CNL RP

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Landlord’s Application for Dispute Resolution was made on January 2, 2018 (the “Landlord’s Application”). The Landlord sought an order of possession based on notices to end tenancy for landlord’s use of property and for cause, pursuant to the *Act*.

The Tenant’s Application for Dispute Resolution was made on November 9, 2017 (the “Tenant’s Application”). The Tenant applied for the following relief pursuant to the *Act*:

- more time to make an application for dispute resolution;
- an order cancelling a notice to end tenancy for landlord’s use of property; and
- an order that the Landlord make repairs to the unit, site or property.

This matter was set for hearing by telephone conference call at 11:00 A.M. (Pacific Time) on January 31, 2018. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was J.W., on behalf of the Landlord. Therefore, as the Tenant did not attend the hearing by 11:00 A.M, and the Landlord’s agent appeared and was ready to proceed, I dismiss the Tenant’s claim without leave to reapply.

During the hearing, J.W. advised that the Tenant moved out of the rental unit on or about January 21, 2018, and that an order of possession is no longer required. I consider the Landlord's Application withdrawn.

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 31, 2018

Residential Tenancy Branch