



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNC, FFT, OLC

### **Introduction:**

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the one month Notice to End Tenancy dated March 30, 2018.
- b. An order that the landlord comply with the Act, Regulations and/or tenancy agreement.
- c. An order to recover the cost of the filing fee.

The landlord failed to appear at the scheduled start of the hearing which was 9:00 a.m. on June 13, 2018. The tenant applicant was present and ready to proceed. I left the teleconference hearing connection open and did not start the hearing until 10 minutes after the schedule start time in order to enable the landlord to call in. The landlord failed to appear. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I then proceeded with the hearing. The tenant was given a full opportunity to present affirmed testimony, to make submissions and to call witnesses.

On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the one month Notice to End Tenancy was sufficiently served on the Tenant. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord on April , 2018. With respect to each of the applicant's claims I find as follows:

### **Issues to be Decided:**

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated March 30, 2018?
- b. Whether the tenant is entitled to an order that the landlord comply with the Residential Tenancy Act, Regulations and/or tenancy agreement?
- c. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence:

The tenancy began on February 1, 2013. The tenancy agreement provided that the tenant(s) would pay rent of \$1000 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$500 on June 1, 2013.

The tenant testified that he vacated the rental unit on June 1, 2018 and has no interest in reinstating the tenancy.

Analysis:

As the tenant has vacated the rental unit and has no interest in reinstating the tenancy I ordered that the tenant's application be dismissed without leave to re-apply.

**This decision is final and binding on the parties.**

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: June 13, 2018

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Residential Tenancy Branch