



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capreit Limited Partnership
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, MT, FFT

Introduction

This hearing was convened in response to an application from the tenant pursuant to the *Residential Tenancy Act* (“*Act*”) for:

- An Order to cancel a Ten - Day Notice to End Tenancy for Cause, pursuant to section 47 (4) of the *Act*;
- additional time to bring this application pursuant to section 66 (1) of the *Act*; and
- payment of the filing fee for this application pursuant to section 72 (1) of the *Act*.

Issue(s) to be Decided

Is the tenant entitled to:

- An Order canceling a Ten - Day Notice to End Tenancy for Cause, pursuant to section 47 (4) of the *Act*;
- additional time to bring this application pursuant to section 66 (1) of the *Act*; and
- payment of the filing fee for this application pursuant to section 72 (1) of the *Act*.

Background and Evidence

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 11:14 A.M. in order to enable the tenant to call into the teleconference hearing scheduled for 11:00 A.M. The landlord’s agent PD attended the hearing and was given a full opportunity to be heard, to present affirmed testimony to make submissions and to call witnesses. I confirmed that the correct call-in numbers and

participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlord's agent and I were the only ones who had called into this teleconference.

Analysis

As the tenant, who is the applicant in this matter failed to call in to the teleconference and failed to lead any evidence the application is dismissed without leave to re-apply.

Conclusion

This application is hereby dismissed without leave to re-apply.

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: July 11, 2018

Residential Tenancy Branch