



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MT   CNR   LRE   MNDC   FF

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on May 18, 2018. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act*:

- an order granting more time to make an application for dispute resolution;
- an order cancelling a notice to end tenancy for unpaid rent or utilities;
- an order suspending or setting conditions on the Landlord's right to enter the rental unit;
- a monetary order for money owed or compensation for damage or loss;
- an order granting recovery of the filing fee..

This matter was set for hearing by telephone conference call at 9:00 A.M. on July 13, 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 the Landlord, who advised that the Tenant vacated the rental unit on June 2, 2018. As the Tenant did not attend the hearing by 9:10 A.M., and the Landlord appeared and was ready to proceed, I dismiss the claim without leave to reapply.

When a tenant's application to cancel a notice to end tenancy is dismissed, and the notice complies with section 52 of the *Act*, section 55 of the *Act* requires that I issue an order of possession in favour of the landlord. However, since the Tenant vacated the rental unit on June 2, 2018, and because neither party submitted a copy of the notice to end tenancy, I decline to grant an order of possession.

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 13, 2018

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Residential Tenancy Branch