



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, LRE

Introduction

This is an Application for Dispute Resolution (the “Application”) brought by the Tenant requesting a cancellation of a One Month Notice to End Tenancy for Cause dated May 31, 2018. The Tenant also requests an order restricting the Landlord’s access to the rental property.

The Tenant listed his own name as both the Landlord/Respondent and Tenant/Applicant in the Dispute Application, which is reflected in the Notice of Hearing. No other person or company is named in the Application and no documentary evidence was submitted by the Tenant.

No one attended at the appointed time set for the hearing, although I waited 10 minutes to enable them to participate in this hearing scheduled for 11 a.m. 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 I was the only person who had called into this teleconference.

Issues

Is the Tenant entitled to a cancellation of the One Month Notice to End Tenancy, pursuant to section 47 of the Residential Tenancy Act (“Act”)?

Is the Tenant entitled to an order restricting the Landlord’s right to enter the premises, pursuant to section 70 of the Act?

Analysis and Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a hearing, the Arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the Application, with or without leave to re-apply.

As no one called into the conference call by 11:10 a.m., I find the Tenant has not presented the merits of this Application which is hereby **dismissed without leave to reapply**. However, this does not extend any applicable time limits under the *Residential Tenancy Act* and I have made no findings of fact or law with respect to the merits of this Application.

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 30, 2018

Residential Tenancy Branch