



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CHILLIWACK CANADIAN REFORMED CHURCH
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M OLC

Introduction

This hearing dealt with the tenant's application pursuant to section 67 of the *Residential Tenancy Act* (the *Act*) for:

- cancellation of the landlord's 4 Month Notice to End Tenancy for Demolition, Renovation, or Conversion to Another Use ("4 Month Notice"), pursuant to section 49; and
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62.

Neither party attended at the appointed time set for the hearing, although I waited until 9:40 A.M. to enable them to participate in this hearing scheduled for 9:30 A.M.

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the 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

In the absence of any evidence or submissions from the applicant, I order the tenant's application dismissed without liberty to reapply.

Section 55(1) of the *Act* reads as follows:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if

- (a) the landlord's notice to end tenancy complies with section 52 [*form and content of notice to end tenancy*], and
- (b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

As neither party attended the hearing, I am unable to verify that the landlord's 4 Month Notice of complies with section 52 of the *Act*. The tenancy will continue until ended in accordance with the *Act* and tenancy agreement.

Conclusion

I dismiss the tenant's entire application for dispute resolution without leave to reapply. The tenancy will continue until ended in accordance with the *Act* and tenancy agreement.

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: August 21, 2018

Residential Tenancy Branch