



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      Tenant: AS, CNC, ERP, OLC, RP, FFT  
Landlord: OPC, MNRL, FFL

### Introduction

On August 17, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) to cancel a One-Month Notice to End Tenancy for cause, to order the Landlord to allow a sublet and to comply with the Act, to order regular and emergency repairs, and to be compensated for the cost of the filing fee.

On August 24, 2018, the Landlord submitted an Application for Dispute Resolution under the Act. The Landlord requested an Order of Possession for the rental unit, a Monetary Order to recover unpaid rent, and to be compensated for the cost of the filing fee. The Landlord’s Application was crossed with the Tenant’s Application and the matter was set for a participatory hearing via conference call.

### Preliminary Matters

The Landlord attended the conference call hearing; however, the Tenant did not attend at any time during the 10-minute hearing. The Landlord testified that the Tenant had moved out of the rental unit and that the parties had made arrangements regarding the outstanding rent and the security deposit. The Landlord no longer wished to pursue his Application for Dispute Resolution.

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.

After keeping the phone line open for 10 minutes, I dismissed the Tenant’s Application without leave to reapply as the Tenant failed to attend the hearing to present the merits of her Application or, at the very least, cancel their scheduled hearing in advance of the hearing.

Analysis

I find that the Landlord has withdrawn his Application for Dispute Resolution and the Tenant's Application has been abandoned.

Conclusion

The Landlord has withdrawn his Application for Dispute Resolution.

I dismiss the Tenant's Application for Dispute Resolution without leave to reapply.

I have not made any findings of fact or law with respect to either of the Applications.

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: October 09, 2018

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Residential Tenancy Branch