



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, FFT

### Introduction and Preliminary Matters

On August 29, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting to cancel a 10-Day Notice to End Tenancy for Unpaid Rent, dated August 20, 2018 (the “Notice”), and to recover the cost of the filing fee. The matter was set for a participatory hearing via conference call.

The Tenant was emailed a copy of the Notice of a Dispute Resolution Hearing by the Residential Tenancy Branch on August 29, 2018. The Tenant; however, did not attend the teleconference hearing set for this date at 11:00 a.m. The phone line remained open for 11 minutes and was monitored throughout this time. The only person to call into the hearing was the Landlord who indicated that he had made arrangements with the Tenant to pay the outstanding rent by the end of October 2018 and if this occurred, that the tenancy would continue.

I have confirmed that the file audit records indicated that the Tenant did not make any attempt to cancel the hearing prior to the start. I have also confirmed that the date, time and codes for the teleconference were correct and that the only persons showing on the teleconference system was the Landlord and myself.

After keeping the phone line open for 11 minutes, I dismissed the Tenant’s Application without leave to reapply as the Tenant failed to attend the hearing to present the merits of their Application or, at the very least, cancel their scheduled hearing in advance of the hearing.

The Landlord did not request an Order of Possession as a result of the Tenant’s Application being dismissed. The Landlord indicated that he understood that the Notice is canceled and that he would have to issue a new Notice to End Tenancy if required

and apply for Dispute Resolution if he wanted to seek an Order of Possession and/or a Monetary Order for compensation.

Conclusion

The Tenant's Application is dismissed without leave to reapply.

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 12, 2018

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Residential Tenancy Branch