



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction and Preliminary Matters

On July 12, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting to cancel a One Month Notice to End Tenancy for Cause. 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 July 17, 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 12 minutes and was monitored throughout this time. The only person to call into the hearing was the Landlord who indicated that they were ready to proceed. I have confirmed that the file audit records indicate 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 12 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. During the 12 minutes, the Landlord testified that the Tenant had moved out of the rental unit on September 8, 2018; therefore, the Landlord did not require an Order of Possession pursuant to Section 55 of the Act.

Analysis

The Tenant failed to attend the hearing and as such, I find the Tenant has abandoned their Application for Dispute Resolution.

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: September 12, 2018

Residential Tenancy Branch