



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PCPM LTD. AS AGENT FOR BROOKMERE GARDE
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, OLC

Introduction

On July 25, 2018, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”) and seeking an Order for the Landlord to comply pursuant to Section 62 of the *Act*.

J.D. attended the hearing as agent for the Landlord. The Tenant attempted to call into the proceeding twice but was unable to participate due to poor reception on her phone. The Tenant managed to connect to the conference call on her third attempt. All in attendance provided a solemn affirmation.

At the outset of the hearing, J.D. advised that an Order of Possession was already granted to the Landlord against the Tenants for this rental unit, prior to this hearing. For ease of reference, I put the file number for the Landlord’s Application on the cover page of this decision. I explained to the Tenant that I am unable to alter a decision of another arbitrator and that the tenancy has been ended by an Order of Possession already granted. As such, I dismiss the Tenants’ Application without leave to reapply. The Tenant inquired about her recourse for the previous decision granting the Landlord the Order of Possession. I informed the Tenant that she may wish to apply for Review Consideration when she is served with the Order of Possession. The Tenant then abruptly exited the conference call for the third time at 11:16 AM.

Conclusion

As a decision has already been rendered on this issue, I dismiss the Tenants' Application 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 18, 2018

Residential Tenancy Branch