



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CANAMEX HOLDINGS LTD.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNR, MNDCT, MT, RR

### Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenant seeking remedy under the *Residential Tenancy Act* (“Act”) for a monetary order in the amount of \$4,073.00 for compensation for damage or loss under the Act, regulation or tenancy agreement, to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“10 Day Notice”), for more time to make an application to cancel a notice to end tenancy, and for a rent reduction.

The tenant was provided with a copy of the Notice of a Dispute Resolution Hearing dated July 31, 2018 (“Notice of Hearing”). The tenant; however, did not attend the teleconference hearing set for this date, Thursday, September 20, 2018 at 9:30 a.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only persons to call into the hearing were two agents for the landlord SM and RB (“agents”) who indicated that they were ready to proceed. I have confirmed that file records support that the tenants did not make any attempt to cancel the hearing prior to the hearing. I have also confirmed that the teleconference codes provided to the parties were correct and that the only persons on the call besides the arbitrator were the two agents during the hearing.

Following the ten minute waiting period, the application of the tenant was **dismissed 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 agents did attend the hearing and were ready to proceed.

The agents testified that the tenant has vacated the rental unit and that an order of possession is not required as a result.

### Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the *Act*.

This decision will be emailed to the agents at the email address provided during the hearing and will be sent by regular mail to the tenant as the tenant did not include an email address in their application.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 20, 2018

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Residential Tenancy Branch