



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPILANO PROPERTY MANAGEMENT SERVICES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction and Preliminary Matters

On August 9, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) to cancel a 10-day Notice to End Tenancy for unpaid rent, dated August 8, 2018 (the “Notice to End Tenancy”). 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 13, 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 6 minutes and was monitored throughout this time. The only person to call into the hearing was the Landlord who indicated that they had already spoken with the Tenant and advised that the Notice to End Tenancy was issued in error and have rescinded the Notice. Although the Landlord thought that it was clear that the Notice to End Tenancy was canceled, the Tenant indicated that they would still show up at the hearing. 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 6 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 and the Landlord testified that the Notice to End Tenancy was canceled.

### Conclusion

I dismiss the Application for Dispute Resolution without leave to reapply. I have not made any findings of fact or law with respect to the Application.

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 28, 2018

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Residential Tenancy Branch