



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR, ERP, RP, OLC, PSF

### Introduction

This hearing was scheduled to convene at 9:30 a.m. this date by way of conference call concerning an amended application made by the tenants seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities; an order that the landlord make emergency repairs for health or safety reasons; an order that the landlord make repairs to the rental unit or property; an order that the landlord comply with the *Act* or the tenancy agreement; and an order that the landlord provide services or facilities required by the tenancy agreement or the law.

The landlord attended the hearing prepared to respond to the tenant's application, however the line remained open while the telephone system was monitored for in excess of 15 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given to a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form.

In this case, no one has provided me with a full copy of a notice to end the tenancy, and therefore I cannot be satisfied that it was given in the approved form and I decline to issue an Order of Possession.

### Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety 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: November 27, 2018

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Residential Tenancy Branch