



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## REVIEW HEARING DECISION

Dispute Codes      CNL, MNDCT, OLC, RR

### Introduction

This Review Hearing dealt with an Application for Dispute Resolution (“application”) by the tenant under the *Residential Tenancy Act* (“Act”) to cancel a 2 Month Notice to End Tenancy for Landlord’s Use of Property dated July 31, 2018 (“2 Month Notice”), for a monetary claim of \$1,620.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and for a rent reduction.

An original decision and monetary order was issued by an arbitrator dated October 4, 2018 which was later suspended on October 29, 2018 by way of a Review Consideration Decision by a different arbitrator that was written based on the landlord’s Application for Review Consideration.

In the Review Consideration Decision the arbitrator writes in part:

### “READ THE FOLLOWING CAREFULLY:

**Notices of the time and date of the new hearing are included with this review consideration decision for the LANDLORD to serve to the TENANT within three (3) days of receipt of this review consideration decision. See below for further service instructions.**

At the same time as the Notice of Hearing is served the **LANDLORD** must serve a copy of this review consideration decision and evidence supplied as part of the review consideration application, to the **TENANT.**”

[Reproduced as written]

The tenant attended the Review Hearing whereas the landlord did not attend the Review Hearing and as noted above was required to serve the tenant with notice of the new hearing (Review Hearing). As the landlord failed to attend the Review Hearing and the tenant did attend, I confirm the original decision and order dated October 4, 2018, pursuant to section 82(3) of the *Act*.

In addition, as the tenant provided email addresses for both the tenant and the landlord in their application this decision will be emailed to both parties.

### Conclusion

As the landlord failed to attend the Review Hearing, I confirm the original decision and monetary order dated October 4, 2018 pursuant to section 82(3) of the *Act*.

This decision will be emailed to both parties as indicated above.

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: December 7, 2018

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Residential Tenancy Branch