



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, LRE,

Introduction

The tenant applies to cancel a one month Notice to End Tenancy for cause dated and received October 30, 2018. The matter came on for hearing December 20, 2018 and was adjourned to this date and time.

The applicant tenant did not attend the hearing within fifteen minutes after its scheduled start time at 9:30 a.m. on January 10, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the respondent and this arbitrator were the only ones who had called into this teleconference during that period.

The Interim Decision in this matter, setting out the new date for hearing and providing the necessary call in number and code, was sent to the tenant at the email address provided for him at the first hearing. The landlord Mr. B. testifies that he served the tenant with the Interim Decision by attaching it to the door of the tenant's rental unit on January 1, 2019. He saw the tenant at the premises one and one half hours later. On this basis and evidence I find that the tenant was properly and duly notified of this hearing.

As the result of the tenant's non-attendance, his application is dismissed. As the landlord attended and was ready to proceed, the application is dismissed without leave to re-apply.

As a result, the Notice to End Tenancy is considered to be a valid Notice and has resulted in this tenancy coming to an end on November 30, 2018. Pursuant to s. 55 of the *Residential Tenancy Act*, the landlords will have an order of possession.

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: January 10, 2019

Residential Tenancy Branch