



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR LRE MNRT OLC RR

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- Cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent pursuant to section 46;
- An order restricting the landlord's right to access the rental unit pursuant to section 70;
- A monetary award for damages and loss pursuant to section 67;
- An order that the landlord comply with the Act, regulations or tenancy agreement pursuant to section 62; and
- An order to reduce rent for services or facilities not provided pursuant to section 65.

This matter was set for hearing by telephone conference call at 11:00 am. on this date. The line remained open while the phone system was monitored for fifteen minutes and the only participant who called into the hearing during this time was the respondent's agent

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 Consequences of not attending the hearing – If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application with or without leave to reapply.

Therefore, as the applicant did not attend the hearing by 11:15 am, and the respondent appeared and was ready to proceed, I dismiss the claim without leave to reapply.

While I am dismissing the tenant's application to cancel a 10 Day Notice, the respondent testified that the tenants have already vacated the rental unit in accordance with an Order of Possession issued at an earlier hearing and an Order of Possession is no longer necessary. Therefore, though I dismiss the tenant's application I decline to issue 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 18, 2019

Residential Tenancy Branch