



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNR, ERP, LRE, RP

### Introduction

This hearing was convened in response to the Tenants' Application for Dispute Resolution, in which the Tenants applied to cancel a Notice to End Tenancy for Unpaid Rent, for an Order requiring the Landlord to make repairs; and for an Order suspending or restricting the Landlord's right to enter the rental unit.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent be set aside?

Is there a need to issue an Order suspending or restricting the Landlord's right to enter the rental unit?

Is there a need to issue an Order requiring the Landlord to make repairs?

### Background and Evidence

This hearing was scheduled to begin at 9:30 a.m. today. The Agents for the Landlord joined the teleconference prior to the scheduled start time. By the time the teleconference was terminated at 9:41 a.m., the Tenants had not attended.

The male Agent for the Landlord stated that the Tenants did not serve the Landlord with any documents in regards to these proceedings. He stated that the Landlord was able to attend the hearing because of information provided to them by the Residential Tenancy Branch.

The male Agent for the Landlord stated that on December 30, 2018 the Landlord received written notice from the Tenants, in which they informed the Landlord the rental unit has been vacated. He stated that on the basis of this notice the Landlord

concluded that the rental unit had been abandoned and the Landlord had the locks changed to the rental unit.

The Agent for the Landlord stated that the Tenants did not serve the Landlord with a copy of the Ten Day Notice to End Tenancy for Unpaid Rent. He stated that the Landlord did not submit a copy of this Ten Day Notice to End Tenancy for Unpaid Rent as evidence for these proceedings, although the Landlord did submit a copy of a Ten Day Notice to End Tenancy for Unpaid Rent that was served after this Application for Dispute Resolution was filed.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Agents for the Landlord and I were the only ones who had called into this teleconference.

#### Analysis

I find that the Landlord failed to diligently pursue the application and I therefore dismiss the Application for Dispute Resolution without leave to reapply.

#### Conclusion

The Application for Dispute Resolution is dismissed, 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: January 18, 2019

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Residential Tenancy Branch