



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1150715 BC LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, ERP, MT

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on December 31, 2018 (the "Application"). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause served December 12, 2018. The Tenant sought more time to file the Application. The Tenant also sought emergency repairs.

The Tenant did not appear at the hearing. K.K. appeared at the hearing for the Landlord. K.K. advised that this matter had been resolved and the Tenant had vacated the rental unit. K.K. confirmed the Landlord is not seeking an Order of Possession for the rental unit.

I waited 10 minutes, until 11:10 a.m., to allow the Tenant to participate in this hearing scheduled for 11:00 a.m. The Tenant did not call into the hearing.

I told K.K. I would dismiss the Application as the Tenant did not appear at the hearing. I told K.K. I would not issue an Order of Possession under section 55 of the *Residential Tenancy Act* (the "*Act*") given the Landlord is not seeking one.

Rule 7.3 of the Rules of Procedure states that an arbitrator can dismiss an application without leave to re-apply if a party fails to attend the hearing.

Here, the Tenant did not attend the hearing to provide evidence or a basis for the Application. In the absence of evidence from the Tenant, the Application is dismissed without leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55 of the *Act* given the Landlord is not seeking one.

Conclusion

The Application is dismissed without leave to re-apply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: February 11, 2019

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Residential Tenancy Branch