



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding GALE HORTH HOLDINGS LTD and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL-4M, CNR, ERP, FFT

### Introduction

This hearing was convened pursuant to the Tenant's Application for Dispute Resolution, made on February 8, 2019. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act*:

- cancel a 4 Month Notice to end tenancy;
- cancel a 10 day notice for unpaid rent or utilities
- an order for emergency repairs
- return of the filing fee

The hearing was scheduled for 9:30 AM on March 21, 2019 as a teleconference hearing. S.B. appeared on behalf of the Landlord and provided affirmed testimony. No one appeared for the Tenant. The conference call line remained open and was monitored for 10 minutes before the call ended. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that S.B. and I were the only persons who had called into this teleconference.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

*"The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply."*

As the Tenant did not appear at the hearing of their Application, I therefore dismiss the Tenant's Application in its entirety without leave to reapply.

S.B. testified that the Tenant moved out of the rental unit and has returned the keys to the Landlord on March 4, 2019; therefore, the Landlord is not seeking an order of possession.

Conclusion

The Tenants Application 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: March 21, 2019

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Residential Tenancy Branch