



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNC**

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for an order to cancel a one month notice for cause pursuant to section 47.

### Preliminary Issue – landlord's name

The tenant filed an application against parties who was not named on the tenancy agreement. The landlord confirmed the spelling of her name and the co-landlord's name. The landlord's names were amended to the names reflected on the cover page of this decision in accordance with Rule 4.2 of the Rules.

### Preliminary Issue - Tenant did not attend

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 11:11 a.m. to enable the tenants to call into this teleconference hearing scheduled for 11:00 a.m.

The landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. 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 landlord and I were the only ones who had called into this teleconference.

Rule 7.3 of the Rules of Procedure provides that 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 re-apply. Rule 7.4 states that evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend to present evidence, any written submissions supplied may or may not be considered.

As the tenant did not attend, he did not present evidence regarding the merits of his claim for me to consider. Consequently, I dismiss the tenant's application without leave to reapply.

Conclusion

The tenant's 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: April 18, 2019

---

Residential Tenancy Branch