



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LI-CAR PROPERTY MANAGEMENT
GROUP and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on March 13, 2019 (the "Application"). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause dated February 28, 2019.

The Tenant did not appear at the hearing. A.F., agent for the Landlord, did appear. A.F. advised that the Landlord was issued an Order of Possession on File Number 1 and the Tenant has vacated the rental unit.

A.F. provided the correct name of the Landlord and this is reflected in the style of cause.

I waited 10 minutes, until 9:40 a.m., to allow the Tenant to participate in this hearing scheduled for 9:30 a.m. The Tenant did not call into the hearing.

I told A.F. I would dismiss the Application as the Tenant did not appear at the hearing. I told A.F. I would not issue an Order of Possession under section 55 of the *Residential Tenancy Act* (the "Act") given the Landlord does not require 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 disputing the Notice. 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 does not require 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: May 03, 2019

Residential Tenancy Branch