



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, RP

### Introduction

On June 5, 2019, the Tenant applied for a Dispute Resolution proceeding seeking to cancel the 10 Day Notice to End Tenancy for Unpaid Rent (the “Notice”) pursuant to Section 46 of the *Residential Tenancy Act* (the “Act”) and seeking a repair order pursuant to Section 32 of the *Act*.

The Tenant attended the hearing; however, the Landlord did not make an appearance. All in attendance provided a solemn affirmation.

The Tenant advised that he did not serve the Notice of Hearing package to the Landlord. Based on this undisputed testimony, as I am satisfied that the Landlord was not served with the Notice of Hearing package in accordance with Section 89 of the *Act*, I dismiss the Tenant’s Application with respect to the Notice without leave to reapply. However, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the Application.

At 11:11 AM of the hearing, the Tenant appeared to lose his phone connection to the teleconference. I waited two minutes for the Tenant to re-connect to the hearing. However, the Tenant did not call back, so the hearing was concluded at 11:13 AM.

### Conclusion

I dismiss the Tenant’s Application with respect to the cancellation of the Notice without leave to reapply. This does not extend any applicable time limits under the legislation.

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: July 25, 2019

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Residential Tenancy Branch