



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

matter regarding LANGLEY LIONS HOUSING
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") for more time to file the Application, and to cancel a One Month Notice to End Tenancy for Cause dated May 24, 2019 ("One Month Notice").

The Tenant was provided with a copy of the Notice of Dispute Resolution Hearing on June 18, 2019. The Tenant, however, did not attend the teleconference hearing scheduled for August 1, 2019 at 11:00 a.m. (Pacific Time). The teleconference phone line remained open for ten minutes and was monitored throughout this time. The only person to call into the hearing was an agent, J.D., for the Respondent Landlord ("Agent") who indicated that she was ready to proceed.

The Agent said that the Tenant did not pay his rent in July 2019, so they served him with a 10 Day Notice to End Tenancy for Unpaid Rent dated July 8, 2019 ("10 Day Notice"). The Agent said she applied to the Residential Tenancy Branch for, and received an order of possession for the rental unit on July 25, 2019, based on the 10 Day Notice. The Agent said she served the order of possession on the Tenant on July 25, 2019, which was effective two days after service; however, she said the Tenant remains in the rental unit.

The Agent said she does not need any additional assistance from the Residential Tenancy Branch in this matter.

Preliminary and Procedural Matters

The Landlord provided her email address at the outset of the hearing and confirmed her

understanding that the decision would be emailed to the Landlord and mailed to the Tenant at the rental unit.

Based on the evidence before me overall, I find that the tenancy ended on July 27, 2019, two days after service of the order of possession. Therefore, based on this and the fact that the Tenant did not attend the teleconference hearing, I find the Tenant's Application is irrelevant and I cancel it.

Following the ten minute waiting period, the Tenant's Application was dismissed without leave to reapply, as the Tenant or an agent for the Tenant failed to attend the hearing to present the merits of his Application. The Landlord did attend the hearing and was ready to proceed.

Conclusion

The Tenant did not attend the teleconference hearing to present the merits of his Application; therefore, I dismissed his Application to cancel the One Month Notice without leave to reapply.

The Landlord served the Tenant with a 10 Day Notice and obtained an order of possession, which was served on the Tenant on July 25, 2019, and effective two days later.

This Decision is final and binding on the Parties, unless otherwise provided under the Act, and 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: August 02, 2019

Residential Tenancy Branch