



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RIVERS INLET APTS RENTALS and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenant applied for an order cancelling the landlord's One Month Notice to End Tenancy for Cause ("Notice").

The hearing began as scheduled at 9:30 a.m., Pacific Time, on September 27, 2019, and the telephone system remained open and was monitored for 11 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlord's agent was present and ready to proceed with the hearing.

During the hearing, while waiting for the tenant to appear, I confirmed that neither the tenant nor the landlord had submitted a copy of the Notice.

The landlord's agent confirmed that the tenant had not vacated the rental unit.

Analysis and Conclusion

In the absence of the tenant to present his application, pursuant to section 7.3 of the Dispute Resolution Rules of Procedure (the "Rules"), and due to the attendance by the respondent/landlord, I dismiss the tenant's application seeking cancellation of the landlord's Notice, without leave to reapply.

I do not grant the landlord an order of possession of the rental unit as I did not have a copy of the Notice to ensure it complied with section 52 of the Act.

The landlord is at liberty to apply for dispute resolution for an order of possession of the rental unit.

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: September 27, 2019

Residential Tenancy Branch