



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPC, OLC, FF

### Introduction

The tenants apply for an order that the landlord comply with the law or tenancy agreement in some unspecified way. They also seek to cancel a notice to end tenancy given for unpaid rent.

The respondent landlord did not attend the hearing within ten minutes after its scheduled start time at 9:30 a.m. on September 5, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the tenants and this arbitrator were the only ones who had called into this teleconference during that period.

It was indicated by Mr. R.T. that his parents, the applicants Ms. C.L. and Mr. J.T. had served the Notice of Dispute Resolution Proceeding on the landlord. Each was given the opportunity to confirm that fact under oath but was not able to do so. Mr. R.T. indicates they are elderly and perhaps did not understand what they were asked to testify about.

In any event, the tenants have not filed a copy of the ten day notice they wish to have cancelled. Filing of a copy the notice is required by Rule 2.5 of the Rules of Procedure. Mr. R.T. indicates that he thought he gave a copy to the Residential Tenancy Branch when he filed the application. He also indicates that the notice given by the landlord is other than a notice "in the approved form" as required by the *Residential Tenancy Act*.

Nor have the tenants indicated how they wish the landlord be ordered to comply with the law or the tenancy agreement.

In all these circumstances I find I am unable to proceed with this application in the absence of the landlord.

The application is dismissed with leave to re-apply. Mr. R.T. has been directed to the contact information contained in the Notice of Dispute Resolution Proceeding in order to obtain direction from an Information Officer.

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 05, 2019

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Residential Tenancy Branch