



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, DRI, AAT, LRE, PSF, RR, MNDCT, MNRT

Introduction

On September 10, 2019, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a 10 Day Notice to End Tenancy for Unpaid Rent (the “Notice”) pursuant to Section 46 of the *Residential Tenancy Act* (the “Act”), seeking to dispute a rent increase pursuant to Section 41 of the *Act*, seeking access for the Tenant or guests pursuant to Section 30 of the *Act*, seeking to set conditions on the Landlord’s right to enter pursuant to Section 70 of the *Act*, seeking services to be provided pursuant to Section 62 of the *Act*, seeking a rent reduction pursuant to Section 65 of the *Act*, seeking a Monetary Order for compensation pursuant to Section 67 of the *Act*, and seeking a Monetary Order for compensation for the cost of emergency repairs pursuant to Section 33 of the *Act*.

On September 10, 2019, this matter was set down for a Dispute Resolution Hearing on November 5, 2019 at 11:00 AM.

Issue(s) to be Decided

- Is the Tenant entitled to have the Notice cancelled?
- If the Tenant is unsuccessful in cancelling the Notice, is the Landlord entitled to an Order of Possession?
- Is the Tenant entitled to dispute a rent increase?
- Is the Tenant entitled to access of the rental unit?
- Is the Tenant entitled to have conditions set on the Landlord’s right to enter?
- Is the Tenant entitled to the provision of services or facilities?
- Is the Tenant entitled to a rent reduction?
- Is the Tenant entitled to a Monetary Order for compensation?

- Is the Tenant entitled to a Monetary Order for compensation of emergency repairs?

Background and Evidence

This hearing was scheduled to commence via teleconference at 11:00 AM on November 5, 2019.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

I dialed into the teleconference at 11:00 AM and monitored the teleconference until 11:11 AM. Neither the Applicant nor the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

I find it important to note that the Tenant had mistakenly called into a Dispute Resolution Proceeding on November 4, 2019 at 11:00 AM. I advised the Tenant at that time that he had called into the wrong hearing, that he was a day early, and that he should call back the next day at the same time to attend his own hearing. I also note that records indicate that the Tenant was provided details, on November 4, 2019 at 10:59 AM, for accessing his Dispute Resolution proceeding.

Analysis

As the Applicant did not attend the hearing by 11:11 AM, I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application for Dispute Resolution with 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.

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: November 6, 2019

Residential Tenancy Branch