



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (Act). The tenant applied for an order cancelling the landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (the Notice) and for recovery of the filing fee paid for this application.

The hearing began as scheduled and the telephone system remained open and was monitored for 14 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however, the landlord was present and ready to proceed with the hearing. The landlord submitted that she had not been served with the tenant's application and only found out about this hearing when she received an email from the Residential Tenancy Branch (RTB) reminding her of the hearing.

The landlord submitted further that the tenant had vacated the rental unit.

Analysis and Conclusion

In the absence of the tenant to present their claim, pursuant to section 7.3 of the Residential Tenancy Branch Rules of Procedure (Rules) and due to the appearance of the respondent/landlord, I dismiss the tenant's application, without leave to reapply.

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 15, 2019

Residential Tenancy Branch