



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STRATATECH
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC OLC RP

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to section 47;
- an order for the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62; and,
- an order to the landlord to make repairs to the rental unit pursuant to sections 32 and 62.

A representative appeared on behalf of the landlord. The landlord had full opportunity to provide affirmed testimony, present evidence, and make submissions.

The tenant did not attend the hearing. I kept the teleconference line open for the duration of the hearing, commencing at the scheduled time of 9:30 a.m. and concluding at 9:41 a.m., to allow the tenant the opportunity to call. The teleconference system indicated only the landlord and I had called into the hearing. I confirmed the correct participant code was provided to the tenant

Preliminary Matter – Non-Appearance of Tenant at the Hearing

The applicant tenant did not appear at the hearing. Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides as follows:

7.3 Consequences of not attending the hearing – If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party or dismiss the application with or without leave to reapply.

As the applicant tenant did not attend the hearing, and in the absence of any evidence or submissions, I order the tenant's application be dismissed without leave to re-file.

The landlord did not request an order of possession pursuant to section 55 of the *Act*. This tenancy shall continue until it ends pursuant to the *Act*.

Conclusion

The tenant's application is dismissed without leave to re-file. This tenancy shall continue until it ends pursuant to the *Act*.

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: December 09, 2019

Residential Tenancy Branch