



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OLC, PSF, OPRM-DR, FFL

Introduction

This hearing involved cross applications made by the parties. On October 13, 2019, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a 10-Day Notice Notice to End Tenancy for Unpaid Rent (the “Notice”) pursuant to Section 46 of the *Residential Tenancy Act* (the “Act”), seeking an Order to comply pursuant to Section 62 of the *Act*, and seeking services to be provided pursuant to Section 62 of the *Act*.

On October 21, 2019, the Landlord made an Application for Dispute Resolution seeking an Order of Possession for unpaid rent pursuant to Section 46 of the *Act*, seeking a Monetary Order for unpaid rent pursuant to Section 67 of the *Act*, and seeking to recover the filing fee pursuant to Section 72 of the *Act*. On October 24, 2019, this Application was set down to be heard as a cross application with the Tenant’s file.

On October 21, 2019, this matter was set down for a Dispute Resolution Hearing on December 6, 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 an Order to comply?
- Is the Tenant entitled to have services or facilities provided?
- Is the Landlord entitled to a Monetary Order for unpaid rent?
- Is the Landlord entitled to recover the filing fee?

Background and Evidence

This hearing was scheduled to commence via teleconference at 11:00 AM on December 6, 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.

Analysis

As the Applicants did not attend the hearing by 11:11 AM, I find that the Applications for Dispute Resolution have been abandoned.

Conclusion

I dismiss the Applications 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: December 9, 2019

Residential Tenancy Branch