



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR MNDCT MNRT OLC PSF RP RR**

Introduction

This hearing dealt with the tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the *Act*) for:

- an order cancelling the Ten-Day Notice to Vacate for Nonpayment of Rent ("the Notice") pursuant to section 39;
- a monetary order for damage or compensation pursuant to section 60 of the *Act*;
- that the landlord make emergency repairs to the rental unit pursuant to section 27 of the *Act*;
- an order for the landlord to comply with the *Act*, regulation and/or tenancy agreement pursuant to section 55 of the *Act*;
- an order to provide services or facilities required by the tenancy agreement or law pursuant to section 55;
- an order for repairs pursuant to section 62;
- an order to reduce/recover the rent for repairs, services or facilities agreed upon but not provided pursuant to section 58 of the *Act*.

This matter was set for hearing by telephone conference. The landlord attended the hearing through the landlord's agent TM ("the landlord") and had the opportunity to call witnesses and present affirmed testimony and written evidence. The hearing process was explained, and an opportunity was given to ask questions about the hearing process.

The tenant did not attend the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional ten minutes 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 call-in number and participant code for the tenant was provided.

At the outset, the landlord stated that the tenant had moved out.

Rule 7.3 of the 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 did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed with leave to reapply. Leave to reapply does not constitute an extension of any applicable time limit.

Conclusion

I order the application dismissed with 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*.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: December 13, 2019

Residential Tenancy Branch