



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDCT, MNRT, RR, RP, FFT

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on October 30, 2019 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order to cancel a 10 Day Notice for unpaid rent or utilities (the "10 Day Notice") dated October 22, 2019;
- a monetary order for money owed or compensation for damage or loss;
- a monetary order for the cost of emergency repairs;
- an order granting a rent reduction;
- an order for regular repairs; and
- an order granting the return of the filing fee.

The hearing was scheduled for 9:30 A.M. on December 19, 2019 as a teleconference hearing. Only the Landlord appeared at the hearing. No one called in for the Tenant. The conference call line remained open and was monitored for 12 minutes before the call ended. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Respondent and I were the only persons who had called into this teleconference.

Therefore, as no one attended the hearing for the Tenant by 9:42 A.M., I dismiss the Tenant's claims without leave to reapply.

I note that Section 55 of the *Act* requires that when a tenant submits an Application seeking to cancel a Notice to End Tenancy issued by a landlord, I must consider if the landlord is entitled to an Order of Possession if the Application is dismissed and the



landlord has issued a Notice to End Tenancy that is compliant with section 52 of the *Act*.

The Landlord confirmed that the Tenant has since vacated the rental unit on December 3, 2019; therefore, the Landlord is not seeking an order of possession in relation to the 10 Day Notice.

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 19, 2019

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Residential Tenancy Branch