



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding RANDAL NORTH PROP MGMT  
and [tenant name suppressed to protect privacy]

## DECISION

### Dispute Codes

**CNR, MT**

### Introduction

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

- An order to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities pursuant to section 46; and
- A request for more time to cancel a Notice to End Tenancy pursuant to section 66.

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 11:10 a.m. to enable the tenants to call into this teleconference hearing scheduled for 11:00 a.m. 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 the landlord and I were the only ones who had called into this teleconference.

The landlord attended the hearing, represented by property manager, DS and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. The landlord testified that on January 9, 2020, the tenant was removed from the rental unit by a bailiff pursuant to a Writ of Possession following an Order of Possession granted on December 27, 2019. The file number associated to the Order of Possession is recorded on the cover page of this decision.

The Residential Tenancy Branch Rules of Procedure state:

**7.3 Commencement of the hearing:** *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.*

**7.4 Evidence must be presented:** *Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.*

Accordingly, in the absence of any evidence or submissions I order the application dismissed without leave to reapply.

Conclusion

As noted above, this Application for Dispute Resolution is dismissed 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: February 28, 2020

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Residential Tenancy Branch