



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Welbec Properties Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

The tenant filed an Application for Dispute Resolution on February 7, 2020 seeking an order that the landlord cancel or withdraw the 10-Day Notice to End Tenancy (the "Notice"). The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the "*Act*") on March 17, 2020.

The tenant did not attend the hearing. I left the teleconference hearing open until 9:43 a.m. to enable the tenant to call in to this teleconference hearing scheduled for 9:30 a.m. I confirmed that the correct call-in numbers and participant code was provided in the Notice of Hearing. I also confirmed throughout the duration of the call that the tenant was not in attendance.

The landlord attended and spoke to the matter at hand, stating that an Order of Possession for the rental unit was awarded on March 5, 2020, by another application through this office. The landlord also stated that the tenant moved out of the rental unit on March 13, 2020., with the keys for the unit returned on March 14, 2020.

Rule 7.3 of the Rules of Procedure provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to re-apply.

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Issue(s) to be Decided

Is the tenant entitled to an order that the landlord cancel or withdraw the Notice?

Conclusion

As the applicant did not attend to present their Application, I dismiss the tenant's application for a cancellation of the Notice, 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 *Act*.

Dated: March 25, 2020

Residential Tenancy Branch