



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR OLC PSF

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (the Act) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and for an order directing the landlord to provide services or facilities agreed upon but not provided.

The tenant was provided with a copy of the Notice of a Dispute Resolution Proceeding document dated January 10, 2020 (Notice of Hearing). The tenant however, did not attend the teleconference hearing set for Thursday, March 12, 2020 at 11:00 a.m. Pacific Time. The phone line remained open for 10 minutes and was monitored throughout this time. The only persons to call into the hearing was the landlord BT (landlord) who indicated that they were ready to proceed, and the spouse of the landlord, NT. I have confirmed that file records support that the tenant did not make any attempt to cancel the hearing prior to the hearing.

Following the ten-minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant failed to attend the hearing to present the merits of their application or at the very least cancel their scheduled hearing in advance of the hearing. This is pursuant to Rule 7.1 and 7.3 of the Residential Tenancy Branch (RTB) Rules of Procedure (Rules). The landlord did attend the hearing and was ready to proceed.

The spelling of the surname of the landlord was corrected pursuant to section 64(3)(c) of the Act.

Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to the tenant and sent by regular mail to the landlord as the landlord confirmed that they do not have an email address.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: March 13, 2020

Residential Tenancy Branch