



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNR, MNDCT, RP, RR**

### Introduction

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

- Cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "10 Day Notice") pursuant to section 46;
- A monetary award for damages and loss pursuant to section 67;
- An order that the landlord perform repairs pursuant to section 33; and
- Authorization to reduce the rent for services or facilities agreed upon but not provided pursuant to section 65.

This matter was set for hearing by telephone conference call at 9:30 am on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the respondent's agent.

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.

Therefore, as the applicant did not attend the hearing by 9:40 am, and the respondent appeared and was ready to proceed, I dismiss the tenant's claim without leave to reapply.

Conclusion

The tenant's application is dismissed in its entirety 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: May 5, 2020

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Residential Tenancy Branch