



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RR, CNR, PSF, LRE, OLC, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on March 13, 2020 (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 March 9, 2020;
- a monetary order for money owed or compensation for damage or loss;
- an order granting a rent reduction;
- an order to restrict or suspend the Landlord's right to enter;
- an order that the Landlord provide a service or facility;
- an order that the Landlord comply with the Act; and
- an order granting the return of the filing fee.

The hearing was scheduled for 9:30 A.M. on May 12, 2020 as a teleconference hearing. Only the Landlord attended the hearing at the appointed date and time. No one called in for the Tenant. The conference call line remained open and was monitored for 10 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 9:40 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*.

During the hearing, the Landlord confirmed that the Tenant has since vacated the rental unit on March 15, 2020; therefore, the Landlord is no longer 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: May 12, 2020

Residential Tenancy Branch