



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Urban Core Ventures  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC-MT, FFT

### Introduction

The tenant filed an Application for Dispute Resolution on April 7, 2020 seeking an order that the landlord cancel or withdraw the One Month Notice to End Tenancy (the “Notice”). The tenant also made a request for more time in which to file the application, and an order granting recovery of the fee for filing the Application. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on May 28, 2020.

Neither the tenant nor the landlord attended the hearing, although I left the teleconference hearing connection open until 9:40 a.m. to enable the parties to call in to this teleconference hearing scheduled for 9:30 a.m.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that neither party was in attendance.

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 reapply.

### Issue(s) to be Decided

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

Is the tenant entitled to an order granting more time in which they may apply to dispute the Notice?

Is the tenant entitled to recover the filing fee for this application pursuant to section 72 of the *Act*?

### Conclusion

As the Applicant did not attend to present their application, I dismiss the tenant's application for a cancellation of the Notice, with leave to reapply. While I have provided leave to re-apply, it does not extend to any applicable time limits under the *Act* and I made no legal findings on the merits of the dispute.

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: May 29, 2020

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Residential Tenancy Branch