



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ATIRA WOMEN'S RESOURCE  
SOCIETY and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OLC, CNC, FFT

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on June 09, 2020 (the "Application"). The Tenant applied as follows:

- For an order that the Landlord comply with the Act, regulation and/or the tenancy agreement;
- To dispute a One Month Notice to End Tenancy for Cause served May 29, 2020; and
- For reimbursement for the filing fee.

The Tenant did not appear at the hearing. L.T., J.D. and A.G. appeared at the hearing for the Landlord with the Witness.

I waited 10 minutes to allow the Tenant to call into the hearing scheduled for 9:30 a.m. The Tenant did not call into the hearing for the duration of the hearing which was 14 minutes. I confirmed from the teleconference system that the representatives for the Landlord and I were the only people who had called into this teleconference.

A.G. confirmed the Landlord is not seeking an Order of Possession.

Rule 7.3 of the Rules of Procedure states that an arbitrator can dismiss an application without leave to re-apply if a party fails to attend the hearing.

Here, the Tenant did not attend the hearing to present evidence or provide a basis for the Application. In the absence of the Tenant attending to present evidence and provide a basis for the Application, the Application is dismissed without leave to re-apply.

Section 55 of the *Residential Tenancy Act* (the “*Act*”) requires an arbitrator to consider whether a landlord is entitled to an Order of Possession when a tenant has applied to dispute a notice to end tenancy and the dispute is dismissed. However, I have not considered this here as the Landlord is not seeking an Order of Possession.

### Conclusion

The Application is dismissed without leave to re-apply.

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: July 06, 2020

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Residential Tenancy Branch