



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL, OLC

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on September 2, 2020 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property (the "Two Month Notice") dated August 25, 2020; and
- an order that the Landlord comply with the *Act*.

The hearing was scheduled for 9:30 AM on September 19, 2020 as a teleconference hearing. Only the Landlord attended and provided affirmed testimony. No one appeared 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 Landlord and I were the only persons who had called into this teleconference. As no one attended the hearing for the Tenant, I dismiss the Application without leave to reapply.

I note that Section 55 of the *Residential Tenancy Act* (*Act*) requires that when a Tenant submits an Application for Dispute Resolution 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 the *Act*.

The Landlord stated that the tenancy ended on October 3, 2020 once the Applicant vacated the rental property. The Landlord also stated that this was a shared living situation in which the Tenant shared the kitchen and bathroom facilities with the Landlord. As the tenancy has ended, I find that the Landlord does not require an order of possession.

Conclusion

No one attended the hearing for the Tenant. As such, the Application is dismissed without leave to reapply.

I accept that the tenancy has ended, therefore, the Landlord does not require an Order of Possession.

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: October 19, 2020

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Residential Tenancy Branch