



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR DRI MNDCT OLC LRE

### Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (the Act) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, for an order directing the landlord to comply with the Act, regulation or tenancy agreement, to dispute a rent increase, for a monetary claim of \$8,000.00 for money owed or compensation under the Act, regulation or tenancy agreement, and for an order to suspend or set limits on the landlord's right to enter the rental unit or property.

The tenant was provided with a copy of the Notice of a Dispute Resolution Proceeding document dated October 13, 2020 (Notice of Hearing). The tenant however; did not attend the teleconference hearing set for this date, Thursday, November 5, 2020 at 9:30 a.m. Pacific Time. The phone line remained open for 14 minutes and was monitored throughout this time. The only person to call into the hearing was the landlord JW (landlord) who indicated that they were ready to proceed and stated that the landlord deemed the rental unit abandoned on October 13, 2020 as the door was left open and nothing was inside the rental unit. I have confirmed that file records support that the tenant did not make any attempt to cancel the hearing prior to the hearing.

Following the ten-minute waiting period, the application of the tenant was **dismissed without leave to reapply** as the tenant failed to attend the hearing to present the merits of their application or at the very least cancel their scheduled hearing in advance of the hearing. This is pursuant to Rule 7.1 and 7.3 of the Residential Tenancy Branch (RTB) Rules of Procedure (Rules). The landlord did attend the hearing and was ready to proceed.

Conclusion

The tenant's application is dismissed without leave to reapply.

This decision does not extend any applicable time limits under the Act.

The filing fee is not granted as the applicant failed to attend the hearing.

This decision will be emailed to both parties at the email addresses provided by the tenant in their application. The landlord confirmed that their email address was correct during the hearing.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: November 5, 2020

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Residential Tenancy Branch