



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR LRE OLC AAT PSF

Introduction

This hearing dealt with an application pursuant to the *Residential Tenancy Act* (“the Act”) for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- an order to allow access to or from the rental unit or site for the tenants or the tenant's guests pursuant to section 70; and
- an order to the landlord to provide services or facilities required by law pursuant to section 65.

While the owner of the property, AT (“respondent”), attended the hearing by way of conference call, the applicants did not. At the outset of the hearing, I informed the respondent that I would wait until 11:10 a.m. to enable the tenants to participate in this scheduled hearing for 11:00 am. 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 ones who had called into this teleconference.

The respondent testified in the hearing that she was the owner of the property, and that the applicants were not tenants. The respondent provided the full spelling of her surname as the applicants did not provide this on their application. The respondent testified that the respondents were squatting on the property, and had vacated on October 28, 2020. The respondent testified that she had never issued a Notice to End Tenancy as this was not a tenancy.

Rule 7.3 of the Rules of Procedure provides as follows:

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

In the absence of any evidence or submissions from the applicants, I order the entire application dismissed without leave to reapply.

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: December 8, 2020

Residential Tenancy Branch