



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on November 09, 2020 (the “Application”). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause.

The Tenant did not appear at the hearing. The Landlord did appear and advised that the Tenant vacated the rental unit January 16, 2021. The Landlord confirmed they are not seeking an Order of Possession for the rental unit.

The Landlord provided their correct legal name which is reflected in the style of cause.

I waited until 11:10 a.m. to allow the Tenant to participate in this hearing scheduled for 11:00 a.m. The Tenant did not call into the hearing.

Rules 7.3 and 7.4 of the Rules of Procedure state:

#### 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.

#### 7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Here, the Tenant did not attend the hearing to present evidence or provide a basis for the Application. The Application is therefore dismissed without leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55 of the *Act* given the Landlord is not seeking one.

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: January 26, 2021

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Residential Tenancy Branch