



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Management and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, OLC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on November 25, 2020 (the "Application"). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause and for an order that the Landlord comply with the Act, regulation and/or the tenancy agreement.

The Tenant did not appear at the hearing. The Agent appeared at the hearing for the Landlord. The Agent advised that the Tenant vacated the rental unit February 01, 2021. The Agent confirmed the Landlord is not seeking an Order of Possession for the rental unit.

I waited 10 minutes, until 9:40 a.m., to allow the Tenant to participate in this hearing scheduled for 9:30 a.m. The Tenant did not call into the hearing. I confirmed from the teleconference system that the Agent and I were the only people who had called into the hearing.

I told the Agent I would dismiss the Application without leave to re-apply as the Tenant did not appear at the hearing. I told the Agent I would not issue an Order of Possession given the Landlord is not seeking one.

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 provide evidence or a basis for the Application. In the absence of evidence from the Tenant, the Application is dismissed without leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55 of the *Residential Tenancy Act* (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: February 18, 2021

Residential Tenancy Branch