



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC, MNDCT

### Introduction

The tenant applied to cancel a One Month Notice to End Tenancy for Cause ("Notice") under section 47 of the *Residential Tenancy Act* ("Act") and they applied for compensation under section 67 of the Act.

The landlord attended the hearing on February 5, 2021 at 11:00 AM. The tenant did not attend the hearing, which ended at 11:13 AM.

### Preliminary Issue: Non-Attendance of Tenants and Tenancy Has Ended

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim. As the tenant failed to attend the hearing, I dismiss her application in its entirety, without leave to reapply.

The landlord explained that the tenant vacated the rental unit some time in January 2021. Therefore, I need not issue an order of possession.

This decision is final and binding, and, it is made on authority delegated to me under section 9.1(1) of the Act.

Dated: February 5, 2021

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Residential Tenancy Branch