



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OLC, RR, RP, MNDCT

Introduction and Preliminary Matters

On January 10, 2020, the Tenant made an Application for Dispute Resolution seeking to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) pursuant to Section 46 of the *Residential Tenancy Act* (the “Act”), seeking an Order to comply pursuant to Section 62 of the *Act*, seeking a rent reduction pursuant to Section 65 of the *Act*, seeking a repair Order pursuant to Section 32 of the *Act*, and seeking a Monetary Order for compensation pursuant to Section 67 of the *Act*.

This hearing was scheduled to commence via teleconference at 9:30 AM on April 15, 2021.

The Tenant did not make an appearance at any point during the 14-minute teleconference. Only the Landlord attended the hearing. At the outset of the hearing, I advised the Landlord that recording of the hearing was prohibited. He was reminded to refrain from doing so and he acknowledged this term. All parties in attendance provided a solemn affirmation.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a Decision or dismiss the Application, with or without leave to re-apply.

I dialed into the teleconference at 9:30 AM and monitored the teleconference until 9:44 AM. Only the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I confirmed during the hearing that the Applicant did not dial in and I also confirmed from the teleconference system that the only party who had called into this teleconference was the Landlord.

The Landlord advised that the Tenant gave up vacant possession of the rental unit approximately three weeks ago. As the Tenant did not attend this hearing, I dismiss her Application without leave to reapply. In addition, as the Tenant gave up vacant possession of the rental unit already, it is not necessary to award an Order of Possession to the Landlord.

Conclusion

As the Tenant did not attend this hearing, I dismiss the Tenant's Application for Dispute Resolution 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: April 15, 2021

Residential Tenancy Branch