Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>   **LRE, OLC, CNC**

<u>Introduction</u>

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause ("One Month Notice") pursuant to section 47;

- An order requiring the landlord to comply with the Act pursuant to section 62;

- An order to restrict or suspend the landlord's right of entry pursuant to section 70.

This matter was set for hearing by telephone conference. JF attended as agent for the landlord ("the landlord"). The agent corrected the name of the landlord which is amended throughout.

The tenant did not attend although I left the teleconference hearing connection open from the scheduled time for an additional ten minutes to enable them to call. I confirmed that the Notice of Hearing provided the correct call-in numbers and participant codes. I also confirmed from the teleconference system that the landlord and I were the only ones who had called into this teleconference.

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 reapply.*

The landlord stated the landlord had been served with the Notice of Hearing and Application for Dispute Resolution. The landlord did not request any remedy.

As the tenant did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed without leave to reapply.

Conclusion

I order the 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: April 26, 2021

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Residential Tenancy Branch