



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding GATEWAY PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, OLC, MNDCT, RP, LRE, LAT, MNRT

Introduction and Preliminary Matters

On March 24, 2021, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”), seeking a Monetary Order for compensation pursuant to Section 67 of the *Act*, seeking an Order to comply pursuant to Section 62 of the *Act*, seeking a repair Order pursuant to Section 32 of the *Act*, seeking to restrict the Landlord’s right to enter pursuant to Section 70 of the *Act*, and seeking authorization to change the locks pursuant to Section 31 of the *Act*.

This hearing was scheduled to commence via teleconference at 9:30 AM on July 12, 2021.

T.A. and C.R. attended the hearing as agents for the Landlord; however, the Tenant did not make an appearance at any point during the 11-minute teleconference. 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 9:41 AM. Only the Respondents 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.

T.A. and C.R. advised that social workers for the Tenant confirmed on July 9, 2021 that the Tenant would not be returning to the rental unit. As such, the Landlord took over vacant possession of the rental unit on this date as the rental unit had been determined to be abandoned. As the Tenant did not attend this hearing, I dismiss her Application without leave to reapply. In addition, as the Landlord had already claimed vacant possession of the rental unit, 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: July 12, 2021

Residential Tenancy Branch