



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, LRE

### Introduction

This hearing was scheduled to convene at 1:30 p.m. this date concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities and for an order limiting or setting conditions on the landlord's right to enter the rental unit.

The landlord attended the hearing prepared to respond to the tenant's application, however the line remained open while the telephone system was monitored for more than 15 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* specifies that where I dismiss a tenant's application to cancel a notice to end a tenancy, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form.

In this case, neither party has provided a copy of the notice to end the tenancy, and therefore, I cannot be satisfied that it was given in the approved form, and I declined to grant an Order of Possession.

I have made no findings of fact or law with respect to the merits of this matter.

### Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety 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: August 09, 2021

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Residential Tenancy Branch