



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, LRE

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause; an order that the landlord comply with the *Residential Tenancy Act*, regulation or tenancy agreement; 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 in excess of 10 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application in its entirety without leave to reapply.

The *Act* also states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, 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, no one has provided a copy of a notice to end the tenancy, and therefore I cannot be satisfied that it is in the approved form and I decline to grant an Order of Possession. The landlord may make an Application for Dispute Resolution and serve the tenant in accordance with the law.

Conclusion

For the reasons set out above, the tenant's application is hereby 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: August 17, 2021

Residential Tenancy Branch