



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR, CNC, FFT

Introduction:

This hearing was convened in response to an Application for Dispute Resolution filed by the Tenant in which the Tenant applied to cancel a One Month Notice to End Tenancy for Cause, to cancel a Ten Day Notice to End Tenancy for Unpaid Rent or Utilities, and to recover the fee for filing this Application for Dispute Resolution.

The Agent for the Landlord stated that the Application for Dispute Resolution was served to the Landlord's lawyer, although she does not know the date of service. She stated that the Landlord was not served with any evidence for these proceedings.

As the Application for Dispute Resolution was served to the Landlord, the hearing proceeded at the scheduled start time of 1:30 p.m. By the time the teleconference was concluded at 1:44 p.m., the Tenant had not appeared.

The participants affirmed that they would speak the truth, the whole truth, and nothing but the truth during these proceedings.

The participants were advised that the Residential Tenancy Branch Rules of Procedure prohibit private recording of these proceedings. Each participant affirmed they would not record any portion of these proceedings.

Issue(s) to be Decided:

Should the One Month Notice to End Tenancy for Cause be set aside?
Should the Ten Day Notice to End Tenancy for Unpaid Rent or Utilities be set aside?

Background and Evidence:

The Landlord stated that:

- The tenancy began approximately 8 years ago;
- The Landlord served the Tenant with a One Month Notice to End Tenancy for Cause, dated April 29, 2021;
- The Tenant vacated the rental unit on July 21, 2021;
- The Landlord has possession of the rental unit and does not require an Order of Possession; and
- The Landlord did not serve the Tenant with a Ten Day Notice to End Tenancy for Unpaid Rent or Utilities.

Analysis:

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application, 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*.

Conclusion:

The Application for Dispute Resolution is 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: September 17, 2021

Residential Tenancy Branch