



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, CNC, MNDCT

### Introduction

The tenant filed an Application for Dispute Resolution (the “Application”) on July 27, 2021 seeking cancellation of each of 2 notices to end tenancy issued by the landlord. They also seek compensation for monetary loss. The matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the “Act”) on November 26, 2021. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The landlord attending the hearing stated they received no notice of this hearing. They only knew of the hearing from their contact with the Residential Tenancy Branch regarding this tenancy. The tenant provided no documentary evidence in advance of the hearing, and no notice of the hearing within the time limit specified in the *Residential Tenancy Branch Rules of Procedure*.

The tenant did not attend the hearing, although I left the teleconference hearing connection open until 9:50am to enable them to call in to this teleconference hearing scheduled for 9:30am.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that the tenant was not in attendance.

Rule 7.3 of the *Rules of Procedure* provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply. The tenant did not attend to present their claim for compensation; therefore, I apply this rule to dismiss the tenant’s claim for monetary compensation, without leave to reapply.

The landlord also provided that the tenant moved out from the rental unit on August 12, 2021. Because of this, the validity of each notice to end tenancy issued by the landlord is not in question, and the tenant's Application on each of these points is alternately dismissed for this reason, without leave to reapply.

### Conclusion

In the absence of the Applicant tenant, I dismiss this Application 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 s. 9.1(1) of the *Act*.

Dated: November 26, 2021

---

Residential Tenancy Branch