



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, MNDCT, OLC

### Introduction

This hearing was scheduled for 9:30 a.m. on this date, via teleconference call, to deal with the tenant's application to cancel a One Month Notice to End Tenancy for Cause; orders for the landlord to comply with the Act, regulations, or tenancy agreement; and, monetary compensation for damages or loss under the Act, regulations, or tenancy agreement.

The landlord appeared at the hearing but there was no appearance on part of the tenant despite leaving the teleconference call open until 9:47 a.m. to give the tenant the opportunity to appear.

The landlord confirmed receipt of the tenant's Application for Dispute Resolution and that he was prepared to respond to the tenant's application. Given the tenant's failure to appear for the hearing and present evidence in support of the remedies she seeks, I dismissed the tenant's Application for Dispute Resolution, in its entirety, without leave to reapply.

Under section 55(1) of the Act, a landlord may be provided an Order of Possession where a tenant makes an Application for Dispute Resolution seeking cancellation of a notice to end tenancy. However, the landlord informed that that was not necessary as he already obtained an Order of Possession and a Writ of Possession for a different proceeding (file number provided on the cover page of this decision) and the tenant vacated the rental unit a couple of days ago. Accordingly, I do not provide an Order of Possession with this decision.

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: January 20, 2022

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Residential Tenancy Branch