



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding JOHN HOWARD SOCIETY OF THOMPSON  
REGION and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      **CNC, OLC**

### **Introduction**

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the Act) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause (“One Month Notice”) pursuant to section 47;
- An order requiring the landlord to comply with the Act pursuant to section 62;

The tenant attended the hearing and was given the opportunity to make submissions as well as present affirmed testimony and written evidence. The hearing process was explained, and an opportunity was given to ask questions about the hearing process.

The landlord did not appear at the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional 30 minutes to allow the landlord the opportunity to call. The teleconference system indicated only the tenant and I had called into the hearing. I confirmed the correct call-in number and participant code for the landlord had been provided.

During the hearing, the tenant requested the hearing be placed on hold for five minutes so that he could contact JF, an employee of the landlord. The request was granted.

The tenant testified that he contacted JF by telephone and JF stated as follows. JF “forgot” about the hearing and requested on behalf of the landlord that the matter be set over in order that the landlord could attend. JF provided her email address for service of this Decision.

The tenant testified that he had not submitted a copy of the One Month Notice in support of his application. The tenant accordingly agreed with the landlord's request and asked that the application be dismissed with leave to reapply.

Considering the testimony of the tenant, I grant the tenant's application.

The tenant's application is accordingly dismissed with leave to reapply.

### Conclusion

The tenant's application is dismissed with 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: February 07, 2022

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Residential Tenancy Branch