



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDCT, FFT

Introduction

The Tenant filed an Application for Dispute Resolution (the “Application”) on March 13, 2022 seeking a cancellation of the Two Month Notice to End Tenancy for Landlord’s Use of Property, and compensation for monetary loss or other money owed. Additionally, they seek reimbursement of the Application filing fee. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on June 28, 2022. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The Landlord attending the hearing confirmed that they received notice of this hearing from the Tenant, along with the Tenant’s evidence.

The tenant did not attend the hearing, although I left the teleconference hearing connection open until 11:12am to enable them to call in to this teleconference hearing scheduled for 11:00am.

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

The Landlord explained in the hearing that they withdrew the Two Month Notice for Landlord’s Use of Property prior to the hearing. They submitted evidence showing that the Tenant acknowledged this, yet still intended to proceed on the issue of monetary compensation to them.

Rule 7.3 of the *Residential Tenancy Branch 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.

Conclusion

In the absence of the Applicant Tenant, I dismiss this Application for Dispute Resolution in its entirety and 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: June 28, 2022

Residential Tenancy Branch