



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ASSOCIATED PROPERTY MANAGEMENT (2001)
LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant April 05, 2022 (the "Application"). The Tenant applied as follows:

- To dispute a Two Month Notice to End Tenancy for Landlord's Use of Property (the "Notice")
- To recover the filing fee

The Agent for the Landlords appeared at the hearing. The Tenant did not appear at the hearing. I waited 10 minutes to allow the Tenant to call into the hearing; however, the Tenant did not do so.

The Agent for the Landlords advised that the Tenant moved out of the rental unit and therefore the Landlords are not seeking an Order of Possession based on the Notice.

Rule 7.3 of the Rules of Procedure states:

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

The Tenant did not appear at the hearing and the Agent for the Landlords did appear. Given this, the Application is dismissed without leave to re-apply. I decline to consider whether the Landlords are entitled to an Order of Possession pursuant to section 55(1)

of the *Residential Tenancy Act* (the “*Act*”) because the Landlords are not seeking an Order of Possession.

Conclusion

The Application is dismissed without leave to re-apply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 28, 2022

Residential Tenancy Branch