



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR-MT, MNRT, MNDCT, RR, AAT, PSF, LRE, LAT, OLC, OT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant July 25, 2022 (the “Application”). The Tenant applied as follows:

- To dispute a 10 Day Notice to End Tenancy Issued for Unpaid Rent or Utilities (the “Notice”) and for more time to dispute the Notice
- To be paid back for the cost of emergency repairs made during the tenancy
- For compensation for monetary loss or other money owed
- To reduce rent for repairs, services or facilities agreed upon but not provided
- For the Landlord to allow access to the unit
- For the Landlord to provide services or facilities required by the tenancy agreement or law
- To suspend or set conditions on the Landlord's right to enter the rental unit
- For authorization to change the locks to the rental unit
- For an order that the Landlord comply with the Act, regulation and/or the tenancy agreement
- For other issues not listed

The Tenants did not appear at the hearing. The Landlord did appear with A.S. to assist. The Landlord advised that the Tenants moved out of the rental unit at the end of August or beginning of September.

I waited 10 minutes, until 11:10 a.m., to allow the Tenants to participate in this hearing scheduled for 11:00 a.m. The Tenants did not call into the hearing.

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.

Given the Tenants did not appear at the hearing to provide a basis for the Application, and the Landlord did appear, the Application is dismissed **without** leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55 of the *Residential Tenancy Act* (the “*Act*”) based on the Notice given the Tenants have already moved out of the rental unit.

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: December 15, 2022

Residential Tenancy Branch