



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 0896572 BC LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

Tenant's applications: CNR – MT, CNR, CNC
Landlord's application: OPR, MNR, FFL

Introduction:

This hearing was scheduled to deal with four applications that had been joined together by the Residential Tenancy Branch. The tenants had filed three applications, seeking cancellation of two 10 Day Notices to End Tenancy for Unpaid Rent and a One Month Notice to End Tenancy for Cause. The landlord had filed one application seeking an Order of Possession and Monetary Order for unpaid rent.

The hearing commenced on November 17, 2022 and was adjourned. An Interim Decision was issued and should be read in conjunction with this decision.

As seen in the Interim Decision, the landlord's application was dismissed without leave to reapply. As such, today's reconvened hearing was to deal with the three tenant applications.

At the reconvened hearing, the tenant's representative appeared but none of the parties appeared.

The tenant's representative stated that she understood from her clients that the parties had resolved their dispute(s) and wanted the reconvened hearing cancelled. The tenant's representative had tried to request cancellation earlier today.

In order to cancel a hearing involving a disputed Notice to End Tenancy, consent must be given by the landlord. The Residential Tenancy Branch was unable to contact the landlord to obtain his consent before the reconvened hearing and had not received sufficient written evidence of consent by the landlord. As such, the reconvened hearing remained as scheduled.

Given the lack of attendance at the reconvened hearing by any of the affected parties, I do not give further consideration to any of evidence that had been submitted or the remedies available under the tenant's applications for either party. Therefore, I dismiss the tenant's applications without leave to reapply and I do not provide the landlord with an Order of Possession or Monetary Order under section 55(1) or 55(1.1) of the Act.

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: March 17, 2023

Residential Tenancy Branch