



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

A matter regarding HILDON HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR-MT, MNDCT, LRE
OPR-DR, MNR-DR, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution filed by the Tenant (Tenant's Application) under the *Residential Tenancy Act* (the Act) on January 14, 2022, seeking:

- Cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice);
- An extension to the timeline set out under section 46(4) of the Act;
- Compensation for monetary loss or other money owed; and
- An order suspending or setting conditions on the Landlord's right to enter the rental unit.

This hearing also dealt with an Application for Dispute Resolution filed by the Landlord (Landlord's Application) on January 14, 2022, seeking:

- An order of possession based on the 10 Day Notice;
- Recovery of unpaid rent; and
- Recovery of the filing fee.

The hearing was convened by telephone conference call at 11:00 am on May 9, 2023, and was attended by an agent for the Landlord MH (Agent), who provided affirmed testimony. The Tenant did not attend. The Agent stated that they were never served with any documentation from the Tenant and that they wished to withdraw the Landlord's Application as they had reached a mutual agreement with the Tenant.

I verified that the hearing information contained in the Notice of Dispute Resolution Proceeding for both Applications was correct, and I note that the Agent had no difficulty attending the hearing using that information. Although the teleconference remained

open for more than 10 minutes, no one attended the hearing on behalf of the Tenant. As a result, and as the Agent stated that they were never served with any documentation from the Tenant, including but not limited to the NODRP for the Tenant's Application, I dismiss the Tenant's Application without leave to reapply pursuant to rule 7.3 of the Residential Tenancy branch Rules of Procedure (Rules of Procedure). Based on the Agent's request, the Landlord's Application was withdrawn.

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: May 9, 2023

Residential Tenancy Branch