



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR, RP, OLC

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) issued on January 4, 2023, to have the landlord make repairs to the rental unit, and to have the landlord comply with the Act.

This matter was set for hearing by telephone conference call at 1:00 P.M on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the landlord. Therefore, as the tenant did not attend the hearing by 1:10 P.M, and the landlord appeared and was ready to proceed, I dismiss the tenant’s application without leave to reapply.

The landlord stated that they received an order of possession dated January 27, 2023, and the tenant has vacated the rental unit causing considerable damage. I have noted the file number on the cover paging of this decision.

I have not considered the provisions of section 55 of the Act as the Notice before me does not comply with section 52 of the Act. However, should the landlord seek compensation for unpaid rent they can make an application for dispute resolution within the statutory time limit

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: May 05, 2023

Residential Tenancy Branch