



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding DEVON PROPERTIES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC-MT, RR, PSF

### Introduction and Preliminary Matters

On March 24, 2023, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”), seeking more time to cancel the Notice pursuant to Section 66 of the *Act*, seeking a rent reduction pursuant to Section 65 of the *Act*, and seeking the provision of services or facilities pursuant to Section 62 of the *Act*.

On March 24, 2023, this hearing was set down to commence via teleconference at 9:30 AM on June 30, 2023.

R.R. attended the hearing as an agent for the Landlord; however, the Tenant did not make an appearance at any time during the 12-minute teleconference. At the outset of the hearing, R.R. provided a solemn affirmation.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a Decision or dismiss the Application, with or without leave to re-apply.

I dialed into the teleconference at 9:30 AM and monitored the teleconference until 9:42 AM. Only a representative for the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the R.R. was the only other person who had called into this teleconference.

As the Applicant did not attend the hearing, I dismiss the Tenant's Application for Dispute Resolution in their entirety.

R.R. advised that the Tenant had given up vacant possession of the rental unit on June 17, 2023, due to an Order of Possession granted on a separate matter. As the Landlord has already received vacant possession of the rental unit back, the granting of an Order of Possession is a moot point and does not need to be considered.

### Conclusion

I dismiss the Tenant's Application for Dispute Resolution without leave to reapply.

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: June 30, 2023

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Residential Tenancy Branch