



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNR CNE

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for unpaid rent.

This matter was set for a conference call hearing at 11:00 a.m. on this date. As of 11:17 a.m., the applicant/tenant had not called into the conference call. The respondent/landlord called in. Since the applicant did not call into the conference call, his application is dismissed without leave to reapply.

While we waited for the tenant to call into the conference call, the landlord explained that the tenant had not served her with a notice of hearing and that she had found out about the hearing, by calling the Residential Tenancy Office. The landlord also stated that rent was paid for this year and the notice to end tenancy was for unpaid rent from previous years. The notice to end tenancy was not filed into evidence and therefore I was not able to determine whether it was a valid notice. Accordingly, I was unable to grant the landlord her request for an order of possession.

Conclusion

The tenant's application is dismissed in its entirety.

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 12, 2023

Residential Tenancy Branch