



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

**Dispute Codes**    Tenant:    **CNR, CNC-MT, MNDCT, RR, RP, LRE, AS, OLC, FFT**  
Landlord:    **OPR-DR, MNR-DR, FFL**

### **Introduction**

This hearing dealt with the Tenant's application under the *Residential Tenancy Act* (Act) for:

1. Cancellation of the Landlord's 10 Day Notice to End Tenancy for Unpaid Rent (10 Day Notice) under sections 46 and 55 of the Act;
2. Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act;
3. More time to dispute the notice under section 66 of the Act; and,
4. An Order for compensation for a monetary loss or other money owed under section 67 of the Act;
5. An Order for repairs to the unit, the Landlord has been contacted in writing to make repairs, but they have not been completed under section 32 of the Act;
6. An Order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70 of the Act;
7. An Order to reduce rent for repairs, services or facilities agreed upon but not provided under section 65 of the Act;
8. An Order allowing the Tenant to assign or sublet because the Landlord's permission has been unreasonably withheld under section 34 of the Act;
9. An Order for the Landlord to comply with the Act, regulations, and tenancy agreement under section 62(3) of the Act; and,
10. Recovery of the application filing fee under section 72 of the Act.

This hearing also dealt with the Landlord's application under the Act for:

1. An Order of Possession for the 10 Day Notice under sections 46, 55 and 62 of the Act;
2. A Monetary Order to recover money for unpaid rent under sections 26, 46 and 67 of the Act; and,
3. Recovery of the application filing fee under section 72 of the Act.

No one attended the hearing for the Tenant.

Property manager J.W. attended the hearing for the Landlord.

## **Preliminary Matters**

Rules 7.1 and 7.3 of the Residential Tenancy Branch (RTB) Rules of Procedure provide as follows:

**7.1 Commencement of the dispute resolution hearing:** *The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.*

**7.3 Consequences of not attending the hearing:** *If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.*

The Tenant did not attend the hearing. I dismiss the Tenant's application.

At the outset of the hearing, the Landlord testified that they met with the Tenant last Friday, and they said that the parties settled their claims. The Landlord said that the Tenant will probably not attend this dispute resolution hearing. The Landlord agreed to withdraw their application.

Under Rule 5.0.1 of the RTB Rules of Procedure, the Applicant can withdraw their application with the Respondent's consent to withdraw.

I find that the Landlord's 10 Day Notice, and One Month Notice are canceled and the Landlord's application is withdrawn.

Under section 64(3)(c) of the Act, I amend the Landlord's application to withdraw their claims pertaining to an Order of Possession and a Monetary Order for unpaid rent. I find that all the Landlord's claims are dismissed.

## **Conclusion**

The Tenant's claims are dismissed in their entirety.

The Landlord withdrew their claims at this hearing, and I dismiss the Landlord's claims.

Both parties must bear the costs of their respective filing fees.

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: August 12, 2024

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Residential Tenancy Branch