



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Municipal Affairs

DECISION

Dispute Codes For the Tenant: CNR-MT, LRE
For the Landlords: OPR, MNR, FF

Introduction

This hearing convened to deal with Tenant MM's and the Landlords' Application for Dispute Resolution (applications) seeking remedy under the *Residential Tenancy Act* (Act) for:

Tenant MM applied for:

- an order cancelling the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (Notice/10 Day Notice) issued by the Landlords
- an order extending the time to file an application disputing the Notice issued by the landlord
- an order suspending or setting conditions on the Landlord's right to enter the rental unit

The Landlords applied for:

- an order of possession of the rental unit pursuant to the 10 Day Notice
- a monetary order for unpaid rent
- a monetary order for the filing fee

Those listed on the cover page of this decision attended the hearing and were affirmed. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Facts and Analysis

SA stated that they vacated the rental unit in early October 2025, and did not know that the monthly rent was not being paid by MM and had no part in filing the application for dispute resolution. The Landlords confirmed that MM has now vacated the rental unit and that there are no tenants living in the rental unit.

Rules 7.3 and 7.4 of the Rules of Procedure provides as follows:

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.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Accordingly, in the absence of any evidence or submissions from MM, the Applicant, at the hearing, **I order their application dismissed, without leave to reapply.**

Additionally, the Landlords confirmed that they were not pursuing a monetary order for the unpaid rent at this time, and as a result, I decline to grant the Landlord the monetary order. I note that I also was not provided a copy of the 10 Day Notice as evidence.

As a result, I dismiss the Landlords' application for a monetary order for unpaid rent, with leave to reapply.

As I did not consider the merits of the Landlords' application, I decline to award the filing fee.

Conclusion

The Tenant's application is dismissed, without leave to reapply.

The Landlords' application is dismissed, with 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: November 10, 2025

Residential Tenancy Branch