



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the 10 day Notice to End Tenancy dated May 5, 2016.
- b. An order to recover the cost of the filing fee.

The Applicant failed to contact the telephone bridge number at the scheduled start of the hearing. The Respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The Applicant failed to appear. I then proceed with the hearing.

I determined the Notice to End Tenancy is dated May 5, 2016 is valid. The rent for May 2016 has not been paid. The Respondent testified the Applicant vacated the rental unit around the 15th day of May. In the absence of any evidence or submissions from the Applicant and after hearing the evidence of the Respondent I order the application be dismissed without liberty to reapply.

Order for Possession:

The Residential Tenancy Act provides that where an arbitrator has dismissed a tenant's application to cancel a Notice to End Tenancy, the arbitrator must grant an Order for Possession. As a result I granted the landlord an Order for Possession.

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 10, 2016

Residential Tenancy Branch