



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, OLC

### Introduction

This hearing was scheduled to convene at 9:30 a.m. this date by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities and for an order that the landlord comply with the *Act*, regulation or tenancy agreement.

The landlord and the landlord's spouse attended the hearing, however the line remained open while the phone system was monitored for in excess of 15 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* provides that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form. In this case, the tenant has provided a copy of the first page only of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The landlord advised that the tenant has not served the landlord with the Application for Dispute Resolution or notice of this hearing, and the landlord learned about the hearing date from the Residential Tenancy Branch, and therefore the landlord did not provide any evidence.

Since I have not received 2 pages of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, I cannot be satisfied that the copy served on the tenant is in the approved form, and therefore I decline to issue an Order of Possession in favour of the landlord.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed 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: March 08, 2018

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Residential Tenancy Branch