



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on May 25, 2018 (the "Application"). The Tenant applied to dispute a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "Notice").

The Tenant did not appear at the hearing. R.M. appeared at the hearing for the Landlord. R.M. advised at the outset that the Landlord and Tenant had come to an agreement regarding this matter. R.M. said the Tenant is still living at the rental unit. R.M. confirmed the Landlord is not seeking an Order of Possession based on the Notice.

I waited 10 minutes, until 11:10 a.m., to allow the Tenant to participate in this hearing scheduled for 11:00 a.m. The Tenant did not call into the hearing.

I told R.M. I would dismiss the Application as the Tenant did not appear at the hearing. I told R.M. I would not issue an Order of Possession under section 55 of the *Residential Tenancy Act* (the "Act") given the Landlord is not seeking one.

Rule 7.3 of the Rules of Procedure states that an arbitrator can dismiss an application without leave to re-apply if a party fails to attend the hearing.

Here, the Tenant did not attend the hearing to provide evidence or a basis for disputing the Notice. In the absence of evidence from the Tenant, the Application is dismissed without leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55 of the *Act* given the Landlord is not seeking one.

Conclusion

The Application is dismissed without leave to re-apply.

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: July 16, 2018

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Residential Tenancy Branch