



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      LRE, PSF, FFT, CNC, MNDCT

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on December 20, 2019 (the “Application”). The Tenant applied as follows:

- To suspend or set conditions on the Landlord's right to enter the rental unit;
- For an order that the Landlord provide services or facilities required by the tenancy agreement or law;
- To dispute a One Month Notice to End Tenancy for Cause;
- For compensation for monetary loss or other money owed; and
- For reimbursement for the filing fee.

The Tenant did not appear at the hearing. The Landlord did appear. The Landlord advised that the Tenant vacated the rental unit January 16, 2020. The Landlord confirmed she is not seeking an Order of Possession for the rental unit.

I waited 10 minutes, until 9:40 a.m., to allow the Tenant to participate in this hearing scheduled for 9:30 a.m. The Tenant did not call into the hearing. I confirmed from the teleconference system that the Landlord and I were the only ones who had called into the conference.

I told the Landlord I would dismiss the Application as the Tenant did not appear at the hearing. I told the Landlord 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 (the “Rules”) 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 testimony or present the evidence as is required by rule 7.4 of the Rules. 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: February 25, 2020

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Residential Tenancy Branch