



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR-MT, MNDCT, LRE, LAT, FFT

### Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the Notice) pursuant to section 46;
- an extension of the timeline for disputing the Notice, pursuant to section 66;
- a monetary order for compensation for damage or loss under the Act, Residential Tenancy Regulation or tenancy agreement, pursuant to section 67;
- an order to restrict or suspend the landlord's right of entry, under section 70;
- an order of authorization to change the lock, pursuant to sections 31 and 70; and
- an authorization to recover the filing fee for this application, under section 72.

The respondent (landlord) called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 11:10 A.M. to enable the applicant (tenant) to connect with this teleconference hearing scheduled for 11:00 A.M., the applicant did not attend.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the landlord and I were the only persons who had called into this teleconference.

The landlord did not receive the notice of hearing. The landlord received an email from the Residential Tenancy Branch and learned about this application. The landlord affirmed the tenant moved out on March 15, 2022.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

### **Rule 7 – During the hearing**

**7.1 Commencement of the dispute resolution hearing**

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

**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.

Accordingly, in the absence of any attendance at this hearing by the tenant, I order the tenant's application dismissed without leave to reapply.

Conclusion

I dismiss the tenant's application 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: June 03, 2022

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Residential Tenancy Branch