



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNL-MT, LRE, OLC, FFT

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act"), for:

- an Order to cancel a 10 Day Notice to End Tenancy for Unpaid Rent dated May 2, 2022;
- an Order cancelling a Two Month Notice to End the Tenancy for Landlord's Use, dated April 1, 2022 ("Two Month Notice");
- more time to apply to cancel the Two Month Notice;
- suspension or restriction of the Landlord's right to enter;
- an Order for the Landlord to Comply with the Act or tenancy agreement; and
- recovery of his \$100.00 Application filing fee.

The Tenant was provided with a copy of the Notice of a Dispute Resolution Hearing by the Residential Tenancy Branch ("RTB") on May 17, 2022; however, the Tenant did not attend the teleconference hearing scheduled for September 12, 2022, at 9:30 a.m. (Pacific Time). The phone line remained open for over ten minutes and was monitored throughout this time. The only person to call into the hearing was the Respondent Landlord, ("Z.G."), who indicated that he was ready to proceed.

Rule 7.1 of the RTB Rules of Procedure ("Rules") states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Respondent Landlord and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter; accordingly, I commenced the hearing at 9:30 a.m. on September 12, 2022, as scheduled.

Rule 7.3 states that 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 reapply. The teleconference line remained open for over ten minutes, however, neither the Applicant nor an agent acting on his behalf attended to provide any evidence or testimony for my consideration. As a result, and pursuant to Rule 7.3, I **dismiss the Tenant's Application without leave to reapply**.

Conclusion

The Tenant's Application is dismissed without leave to reapply, as the Tenant or an Agent for the Tenant did not attend the hearing to present the merits of the Application. The Respondent Landlord did attend the hearing.

This Decision does not extend any applicable time limits under the Act.

This Decision will be emailed to the addresses provided by the Tenant in the Application, and confirmed by the Landlord in the hearing.

This Decision is final and binding on the Parties, except as otherwise provided under the Act, and 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: September 12, 2022

Residential Tenancy Branch