



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR

Introduction

Pursuant to section 58 of the *Residential Tenancy Act*. (the *Act*), I was designated to hear this matter. This hearing dealt with the tenant's application to:

- Cancel a landlord's 10 Day to End Tenancy for Unpaid Rent or Utilities ("10 Day Notice") pursuant to section 46 of the *Act*.

While the respondent landlord attended the hearing by way of conference call, the applicant tenant did not, although I waited until 9:40 A.M. in order to enable the tenant to connect with this teleconference hearing scheduled for 9:30 A.M. The landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the hearing The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Conclusion

In the absence of the applicant's participation in this hearing, I order the application dismissed without liberty 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: July 5, 2017

Residential Tenancy Branch