

DECISION

Dispute Codes CNC, CNR, FF, SS

Introduction

This matter dealt with an application by the tenant to cancel a Notice to End Tenancy for cause and to cancel a Notice to End Tenancy for unpaid rent. The tenant also applied for substitute service and to recover the cost of filing her application.

This matter was originally scheduled for hearing on January 28, 2010; however, the tenant stated that she had served the landlords with Notice of this hearing on December 22, 2009. However, she did not provided any evidence that this service took place as required by s. 89 of the Act and the landlords did not appear at the hearing. The hearing was reconvened to today's date so that the tenant could either re-serve the landlords or provide evidence of the service that she claims took place on December 22, 2009.

The reconvened hearing was scheduled to take place at 1.30 pm on this date to hear the tenants' application. The hearing went ahead as scheduled but after 10 minutes neither participant had dialed into the conference call. Therefore, no hearing took place and the tenants' application is dismissed 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: March 12, 2010.

Dispute Resolution Officer