



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC, FF

DECISION AND REASONS

This matter dealt with an application by the Tenant to cancel a One Month Notice to End Tenancy for Cause dated December 14, 2010 and to recover the filing fee for this proceeding.

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 dispute resolution officer. The dispute resolution officer 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.

The hearing started at 11:30 a.m. as scheduled, however by 11:40 a.m., the Tenant had not dialled into the conference call. Accordingly, **in the absence of any evidence or submissions I order the application dismissed.** Given also that the time limits for applying to cancel a Notice to End Tenancy under s. 47(4) and s. 66(3) of the Act have now expired, the Tenant's application is dismissed without leave to reapply.

Conclusion

The Tenant's 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: January 17, 2011.

Residential Tenancy Branch