

## **DECISION**

Dispute Codes      CNC

### **Introduction**

This hearing dealt with the tenant's application pursuant to section 46 of the *Residential Tenancy Act* (the *Act*) for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent.

While the Respondent attended the hearing by way of conference call, the Applicant did not. I waited until 1:41 p.m. to enable the Applicant to participate in this hearing.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 Commencement of the dispute resolution proceeding** The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

**In the absence of any evidence or submissions from the Applicant, I order the application dismissed without liberty to reapply.**

The landlord's property manager said that the tenant had paid outstanding rent identified in the landlord's 10 Day Notice before the hearing and that the landlord was not seeking an end to this tenancy or an Order of Possession. This tenancy continues.

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*.