



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

Dispute Codes      CNR, RR

## **DECISION AND REASONS**

This matter dealt with an application by the Tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent dated April 3, 2011, and for an order allowing the Tenant to reduce rent for facilities agreed upon but not provided.

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., neither the Tenant nor the Landlord had dialled into the conference call. Accordingly, **in the absence of any evidence or submissions I order the application dismissed with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

## Conclusion

The Tenant's application is dismissed with 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: April 28, 2011.

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Residential Tenancy Branch