



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

DECISION AND REASONS

This matter dealt with an application by the Tenants to cancel a 10 Day Notice to End Tenancy for unpaid utilities dated May 13, 2011, and to recover the filing fee for this proceeding.

Rule 10.1 of the Residential Tenancy Branch 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 11:43 a.m., neither the Tenants 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 Tenants' 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: June 14, 2011.

Residential Tenancy Branch