



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

DECISION AND REASONS

This matter dealt with the tenant's Application seeking cancellation of a 2 Month Notice to End Tenancy for Landlord's Use.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

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 2:00 p.m. as scheduled; however by 2:10 p.m., neither the tenant nor the landlord had dialled into the conference call.

Conclusion

Accordingly, in the absence of both parties, **I order that the tenant's application is dismissed.**

Given also that the time limits for applying to cancel a Notice to End Tenancy under s. 49(8) of the Act have now expired, 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: September 07, 2011.

Residential Tenancy Branch