



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

DECISION AND REASONS

This matter dealt with the tenant's Application seeking cancellation of a Notice to End Tenancy and to recover the filing fee for this application.

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 10:30 a.m. as scheduled; however by 10:41 a.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, 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.

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: November 16, 2011.

Residential Tenancy Branch