



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MT

Introduction and Analysis

This matter dealt with an application by the tenant to cancel a 1 Month Notice to End Tenancy for Cause (the "Notice") and for additional time to file an application in to dispute the Notice.

This matter was set for hearing at 9:00 a.m. on this date. The line remained open while the phone system was monitored for 10 minutes. The only participant who called into the hearing during this time was the respondent/landlord.

The applicant/tenant failed to attend to present her claim, and the respondent/landlord appeared and was ready to proceed.

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 landlord, who had requested an order of possession in their evidence submission, stated that the tenant has now vacated the rental unit and that the landlord no longer required an order of possession.

Conclusion

In the absence of the tenant I therefore **dismiss** the tenant's application, **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: May 04, 2012.

Residential Tenancy Branch