

## **REVIEW HEARING DECISION**

### **Dispute Codes**

MNR OPR MNSD CNR RR FF

### **Introduction**

This hearing was convened in response to a successful Application for Review by the tenant. The matter is in respect to cross applications by the Tenant and Landlord pursuant to the *Residential Tenancy Act* (the "Act"). No one for either party was in attendance for the Review Hearing.

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 arbitrator. The arbitrator 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.

In the absence of the applicant and respondent, the telephone line remained open and the phone system monitored for ten minutes and no one on behalf of the applicant or respondent called into the hearing during this time. I note that the Application for Review Decision included the Notices of Hearing for the Review Hearing on this date, which was to be served by the tenant upon the landlord. In the absence of either party and as a result of the above, I find the Review Hearing is **hereby dismissed, without leave to reapply**, with the effect that **the original Decision and Orders dated November 21, 2012 are hereby confirmed** and of full effect.

### **Conclusion**

The Review Hearing is **hereby dismissed, without leave to reapply**, with the effect that **the original Decision and Orders dated November 21, 2012 are hereby confirmed and of full effect**.

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: January 07, 2013