



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

CNR

### **Introduction**

This hearing was held in response to the tenant's Application for Dispute Resolution in which the tenant has applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and return of the filing fee costs.

This matter was set for hearing at 1:30 p.m. on this date. The applicant and respondent failed to attend the hearing by 1:40 pm.

Residential Tenancy Branch Rules of Procedure, section 10.1, provides:

#### ***Commencement of the dispute resolution proceeding***

*The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

Section 66(3) of the Act prohibits an extension of time beyond the effective date of a Notice. A copy of the Notice in dispute was supplied by the tenant; the Notice was effective on January 12, 2014. Therefore, in the absence of the tenant at this hearing I find that the application is dismissed without leave to reapply as the effective date of the Notice has passed.

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: February 20, 2014

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Residential Tenancy Branch

