



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR

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

This matter was set for hearing at 9 a.m. on this date. The applicant and respondent failed to attend the hearing by 9:10 a.m.

I note that the tenant's physician submitted a letter dated August 25, 2014 to the Residential Tenancy Branch on August 26, 2014. The physician indicated that the tenant has been hospitalized since August 20, 2014 and could be expected to remain in hospital for another week or more. There was no request that an adjournment be granted. The tenant did not have an agent or advocate attend the hearing on his behalf.

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

10.1 Commencement of the dispute resolution proceeding

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator 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.

In the absence of an appearance by either party by 9:10 a.m., this application is abandoned and dismissed with leave to reapply. The tenant is at liberty to submit an application requesting review consideration.

This decision is final and binding and 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 02, 2014

Residential Tenancy Branch

