



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution in which the Tenant sought an Order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The Applicant Tenant did not appear at the hearing. Conversely, the Landlord, and the Landlord's son, H.S., appeared at the hearing.

The hearing was by telephone conference call and was to begin at 1:00 p.m. on November 5, 2014. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Landlord and H.S.

As the Applicant Tenant did not attend the hearing by 1:10 p.m., I dismiss his claim without leave to reapply.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The Tenant did not attend the hearing and is therefore conclusively presumed under section 47(5) of the Act to have accepted that the tenancy ended on the effective date of the Notice.

Conclusion

The Tenant failed to dispute the Notice. The Tenant is presumed under the law to have accepted that the tenancy ended on the effective date of the Notice to End Tenancy.

This decision is final and binding on the parties, except as otherwise provided under the Act, 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: November 06, 2014

Residential Tenancy Branch

