



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR

Introduction

This matter was set for hearing by telephone conference call at 9:00 a.m., in response to an Application for Dispute Resolution (the "Application") made by the Tenant to cancel a notice to end tenancy and for more time to cancel the notice to end tenancy. The line remained open while the phone system was monitored for 18 minutes and the only participant who called into the hearing was the Respondent Landlord and her translator. The Landlord explained through the Translator that the Tenant had vacated the rental suite.

Analysis & Conclusion

Rule 10.1 of the Dispute Resolution Proceedings Rules of Procedure states that 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.

As the Applicant did not appear for the scheduled hearing and has now vacated the rental unit, there are no legal findings for me to make on the Tenant's Application. Therefore, I dismiss the Tenant's application **without** leave to reapply.

The Landlord is at liberty to make an Application for any monetary losses.

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: March 25, 2015

Residential Tenancy Branch