



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF, MNDC, RR

This is an application brought by the tenants requesting an Order cancelling a Notice to End Tenancy that was given for non-payment of rent, and a request for a monetary Order for \$4250.00. The applicants are also requesting recovery of their filing fee.

No hearing was held however, because even though I waited until 9:11 the applicants had not joined the conference call that was set up for the hearing. I therefore informed respondents that the application was being dismissed without leave to reapply, pursuant to section 10.1 of the Rules of Procedure.

Section 10.1 of the rules of procedure states

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.

Shortly after the respondents left the conference call and just as I was about to disconnect, the male applicant came on the line, stating that he was late because he had been on the roof. The male applicant did not state why he had not come down from the roof on time to join the conference call at the scheduled time, or why the female applicant had not joined the conference call at the scheduled time.

I informed the applicant that he was too late and that their application had been dismissed.

The applicant became argumentative and would not listen when I tried to speak, and as a result I eventually had to disconnect his line.

Conclusion

This application has been dismissed without leave to reapply.

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: June 16, 2015

Residential Tenancy Branch

