



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 531559 B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;

The tenant did not attend or submit any documentary evidence. The landlord's agent, (the landlord) attended the hearing by conference call and provided undisputed affirmed testimony. The landlord stated that the tenant had vacated the rental unit on August 31, 2015 and that the landlord now has possession of the rental premises.

This matter was set for a conference call hearing at 10:30 a.m. on this date. The tenant/applicant failed to attend the hearing by way of conference call. I waited until 11 minutes past the start of the scheduled hearing time in order to enable both parties to connect with this teleconference hearing.

Rule 10.1 of the Rules of Procedure provides that:

10.1 Commencement of the hearing 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.

Accordingly, in the absence of any evidence or submissions from the tenant/applicant and in the absence of the tenant/applicant's participation in this hearing, I order the application dismissed without leave to reapply as the landlord was in attendance in response to the application filed.

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: October 21, 2015

Residential Tenancy Branch

