



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding EMERALD ANALYTICS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, AAT, LRE, MNDC, MNR, O, OLC

Introduction

This matter was set for hearing by telephone conference call at 11:00 a.m., in response to an Application for Dispute Resolution (the “Application”) made by the Tenant. One of the issues elected by the Tenant on his Application was to cancel a notice to end tenancy for cause. However, no notice to end tenancy was provided by either party prior to this hearing. 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. The Landlord explained that the Tenant had not been served with a notice to end tenancy for cause. Therefore, based on the undisputed affirmed testimony of the Landlord, I dismissed this portion of the Tenant’s Application.

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 Tenant did not appear and the Respondent appeared and was ready to proceed, I dismiss the remainder of the Tenant’s Application **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: December 09, 2015

Residential Tenancy Branch

