



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

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 to cancel a notice to end tenancy for cause. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. I also noted that the Tenant had indicated in a written notice for this file that she wanted to cancel the hearing as the parties had reached mutual agreement on the dispute.

Analysis & Conclusion

The Residential Tenancy Branch Rules of Procedure state 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 neither party called into the conference call by 11:10 a.m., I find that the Tenant failed to present the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the *Residential Tenancy Act* and I have made no findings of fact or law with respect to this Application. 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 15, 2016

Residential Tenancy Branch