



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 678490 BC LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("the *Act*") to cancel the landlord's 10 Day Notice to End Tenancy for Unpaid Rent pursuant to section 46.

The tenant/applicant did not attend this hearing although I waited until 9:45am in order to enable the tenant to connect with this teleconference hearing scheduled for 9:30 am. The landlord attended and was given a full opportunity to be heard and make submissions with respect to the tenant's application. The landlord was entitled to seek an order of possession. However, he stated that he did not wish to do so at this time.

With respect to the tenant's failure to attend this hearing, Rule 10.1 of the Rules of Procedure provides as follows:

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.

In the absence of the tenant's participation in this hearing to support her application, I **order the tenant's application 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: April 11, 2016

Residential Tenancy Branch