



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes:**

CNC

### **Introduction**

The tenant has applied to cancel a one month Notice to end tenancy for cause that was issued on February 17, 2016. The Notice in evidence has an effective date of March 31, 2016.

This matter was set for hearing at 10:30 a.m. on this date.

Residential Tenancy Branch Rules of Procedure provides:

#### ***7.1 Commencement of the dispute resolution hearing***

*The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.*

#### ***7.3 Consequences of not attending the hearing***

*If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.*

I note that the landlord submitted evidence dated March 31, 2016 indicating the Notice had been withdrawn and that the parties had reached a mutual agreement to continue the tenancy, with conditions. The tenant did not cancel the hearing.

Section 66(3) of the Act prohibits an extension of time to cancel a Notice, beyond the effective date of the Notice. Therefore, in the absence of an appearance of either party by 10:40 a.m. and, as the effective date of the Notice has passed, I find that this application is abandoned and dismissed.

### **Conclusion**

The application is dismissed.

This decision is final and binding and 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 12, 2016

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Residential Tenancy Branch