



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR

Introduction

This hearing was held in response to the tenants' Application for Dispute Resolution in which the tenants have applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent. A copy of the Notice was not provided. The application was filed on February 23, 2016.

This matter was set for hearing at 9:00 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.

In the absence of an appearance of either party by 9:10 a.m. this application is abandoned and dismissed. I find that the effective date of a 10 day Notice issued and disputed in February 2016 would now have passed. Section 66(3) of the Act bars an application to dispute a Notice beyond the effective date of a Notice.

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

Residential Tenancy Branch