



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PHS COMMUNITY SERVICES SOCIETY  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNR

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act* ("Act"), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated May 3, 2016 ("10 Day Notice"), pursuant to section 46.

Neither party attended at the appointed time set for the hearing, although I waited until 9:40 a.m. to enable them to participate in this hearing scheduled for 9:30 a.m.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 Commencement of the hearing:** 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.

Accordingly, **in the absence of anyone attending this hearing, I order the application dismissed with leave to reapply.** I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

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: June 09, 2016

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Residential Tenancy Branch