



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Silver Park Camp Sites
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNR

Introduction

This hearing was held in response to the tenant's application for dispute resolution in which the tenant has applied to cancel a 10 day Notice to end tenancy for unpaid rent issued on July 13, 2016.

The landlord was present at the scheduled start time of the hearing; 9:00 a.m.

The landlord explained that they have previously obtained an order of possession and writ of possession for the site.

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.

By 9:14 a.m. the tenant had not entered the conference call hearing.

The effective date of the Notice ending tenancy supplied as evidence was July 23, 2016. Pursuant to section 66(3) of the Act, an extension of time to dispute a Notice may not extend beyond the effective date of the Notice. Therefore, in the absence of the tenant in support of the application and, as the Notice effective date has passed, I find the application is dismissed.

The landlord declined an order of possession, as provided by section 55(1) of the Act.

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 *Manufactured Home Park Tenancy Act*.

Dated: September 08, 2016

Residential Tenancy Branch