



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes MT, CNR

### Introduction

This matter was set for hearing by telephone conference call at 11:00 a.m., in response to an Application for Dispute Resolution (the “Application”) made by the Tenant to cancel a notice to end tenancy for unpaid rent and for more time to cancel the notice to end tenancy. The telephone line remained open while the phone system was monitored for ten minutes and the only participant who called into this hearing was a party that was unrelated to this dispute and had incorrectly dialed into this hearing.

### Analysis & Conclusion

The Residential Tenancy Branch Rules of Procedure state that 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. As neither party called into the conference call by 11:10 a.m., I find the Tenant has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the *Residential Tenancy Act* and I have made no findings of fact or law with respect to the merits of this Application.

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: October 05, 2016

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Residential Tenancy Branch