



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNSD FF

Pursuant to the *Residential Tenancy Act*, R.S.B.C. and amendments thereto I was designated to hear this matter under section 58. This hearing dealt with an application pursuant to the *Residential Tenancy Act* SBC 2002 ("the Act") in respect of the above-noted tenancy and was set for 1:00 p.m. on May 23, 2013. By 1:15 p.m., no one had attended the conference call. However, I note documentary evidence on file shows that the parties have settled the matter.

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 submissions I order the application dismissed with liberty to reapply should the matter not be settled as the documentary evidence states. I make no findings on the merits of the matter. **Liberty 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: November 29, 2016

Residential Tenancy Branch