



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WESTGATE RESORTS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNE, MNDC, RPP, O

Introduction

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

Commencement of Hearing: The Dispute Resolution Hearing will commence at the scheduled time unless otherwise set by the Arbitrator. Rule 7.3 provides for the consequences of not attending the hearing and states: 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 reapply.

The matter was set for a hearing at 09.00 a.m. on January 09, 2017 to hear the tenant's application. The hearing went ahead as scheduled and the phone line remained open for 10 minutes; however, neither participant dialed into the conference call during this time. Therefore, no hearing took place as the tenant has failed to present the merits of their application and the application is dismissed with leave to reapply. Leave to re-apply 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: January 10, 2017

Residential Tenancy Branch