



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OLC, MT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed February 10, 2017 wherein the Tenant sought an Order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (which the Tenant claims was received January 27, 2017), more time pursuant to section 56 to make such an application and other unspecified relief.

The matter was set for hearing by telephone conference call at 10:30 a.m. on March 13, 2017 on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent Landlord.

Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides as follows:

Commencement of Hearing:

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

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.

As the Tenant did not attend the hearing by 10:40 a.m., and the Landlord appeared and was ready to proceed, I dismiss the Tenant's claim without leave to reapply.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: March 13, 2017

Residential Tenancy Branch

