



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CENTURY 21 KOOTENAY HOMES INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR RP

Introduction

This hearing was scheduled for the tenant's application pursuant to the *Residential Tenancy Act* for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent pursuant to section 46 and an order for repairs to the rental unit pursuant to section 33.

The applicant/tenant did not attend although the 9:30 a.m. teleconference continued until 9:45 a.m. The respondent/landlord was present. With respect to the tenant's failure to attend this hearing, Rule 10.1 of the Rules of Procedure provides as follows:

The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

In the absence of the tenant's participation in this hearing to support her application, I order the tenant's application dismissed without liberty to reapply. The landlord testified that she will not act on the 10 Day Notice to End Tenancy issued on March 21, 2017: that the rent has been paid and the tenant remains in the rental unit.

Conclusion

I dismiss the tenant's application without leave to reapply.

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: April 25, 2017

Residential Tenancy Branch