



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This is the Tenant's Application for Dispute Resolution seeking to cancel a 10 Day Notice to End Tenancy for Unpaid Utilities issued April 6, 2017 (the "Notice").

This matter was scheduled to be heard by teleconference on May 16, 2017, at 1:30 p.m. The Landlord signed into the teleconference and was ready to proceed. By 1:40 p.m., the Tenant had not yet signed into the teleconference and therefore her Application was dismissed without leave to reapply.

At 1:42 p.m., after my decision had been made and provided to the Landlord, and just before the Hearing was concluded, the Tenant's agent signed into the teleconference. She stated that the Tenant's phone had been "cut off" and that the Tenant was on her way over to the Tenant's agent's house. I advised the Tenant's agent that my decision had already been made.

It is important to note that the Tenant wrote on her Application that she received the Notice on April 6, 2017. The Tenant made her Application on April 13, 2017, which is 2 days after the time limit provided in the Act for disputing the Notice. The Tenant did not apply for an extension of time to dispute the Notice.

Conclusion

The Tenant's Application is **dismissed without leave to reapply**.

Pursuant to the provisions of Section 55 of the Act, I hereby provide the Landlord with an Order of Possession, which is effective **2 days after service of the Order upon the Tenant**. This Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

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: May 16, 2017

Residential Tenancy Branch