



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CML Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

I was designated to hear an application regarding the above-noted tenancy.

Neither party attended at the appointed time set for the hearing, although I waited until 9:15 A.M. to enable them to participate in this hearing scheduled for 9:00 A.M.

Rule 7.1 of the Rules of Procedure provides as follows:

7.1 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.

Issues to be decided

1. Is the tenant entitled to an Order to cancel the 10 Day Notice to End Tenancy for Issued for Unpaid Rent, pursuant to Section 46?

Conclusion

Based on the above, **in the absence of any evidence or submissions I order the application dismissed with liberty to reapply.** 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: April 23, 2018

Residential Tenancy Branch