



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, CNR

Introduction

This is an Application for Dispute Resolution (“Application”) by the Tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and to dispute a rent increase.

Neither party attended at the appointed time set for the hearing, although I waited 11 minutes to enable them to participate in this hearing scheduled for 2:30 pm on May 14, 2018. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that I was the only person who had called into this teleconference.

The Tenant had filed a notice dated May 7th three days prior to the hearing requesting an adjournment with the following reason: “...the mentioned dispute resolution resulted in an attack and theft on myself from the Landlords in question.” He indicated he needed extra time to gather information for evidence, such as police reports. I note that the Tenant was reminded back on March 16th to file the 10 Day Notice and other evidence with this office, but nothing was ever submitted. I was prepared to hear argument from both parties with respect to the request for an adjournment, however, neither party appeared at the scheduled time.

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a 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 neither party called into the conference call by 2:41 p.m., I find the Tenant has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the *Residential*

Tenancy Act and I have made no findings of fact or law with respect to the merits of this Application.

Issue(s) to be Decided

Is the Tenant entitled to a cancellation of the 10-Day Notice to End Tenancy for Unpaid Rent, pursuant to section 46 of the *Residential Tenancy Act* ("Act")?

Is the Tenant entitled to dispute the increase in rent, pursuant to section 41 of the Act?

Conclusion

The Tenant's Application is hereby dismissed, with leave to re-apply.

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 15, 2018

Residential Tenancy Branch