



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, OLC, FF

### Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution wherein she sought to cancel a 2 Month Notice to End Tenancy for Landlord's Use, requested an Order that the Landlord comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the residential tenancy agreement, and recovery of the filing fee.

This matter was set for hearing by telephone conference call at 10:30 a.m. on this date. The line remained open while the phone system was monitored for fourteen minutes and no participant called into the hearing during this time.

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.

### 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.

A review of the Residential Tenancy Branch records indicates the Tenant called the Branch on May 22, 2018 to advise she had accepted the end of the tenancy and had moved from the rental unit. In any event, as a formal cancelation had not been received, the hearing proceeded. And, as the Applicant did not call into the hearing by 10:43 a.m., I dismiss her claim with leave to reapply. I note this does not extend any applicable time limits under the *Act*.

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: May 23, 2018

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Residential Tenancy Branch