



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant filed under the *Residential Tenancy Act*, (the “*Act*”), to cancel a 10-Day Notice to End Tenancy for Unpaid Rent or Utilities pursuant to section 46 of the *Act* and to request additional time to file to dispute the Notice. The matter was set for conference call.

Issues to be Decided

- Is the Tenant entitled to additional time to file to dispute the Notice?
- Should the Notice to End Tenancy be cancelled?
- If not, is the Landlord entitled to an order of Possession?

Background and Evidence

This hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the Rules of Procedure stipulates that 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.

This hearing was scheduled to commence at 11:00 a.m. on October 9, 2018. I called into the teleconference at 11:00 a.m. and monitored the teleconference until 11:11 a.m. Neither the Applicant nor the Respondent called into the teleconference 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

I find that the Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the Application.

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: October 10, 2018

Residential Tenancy Branch