



Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR MT

Introduction

This hearing dealt with the tenant's application to the *Residential Tenancy Act* ("Act") for:

- a cancellation of a notice to end tenancy for unpaid rent pursuant to section 46 of the *Act*; and
- more time to dispute a notice to end tenancy.

While the respondent landlord attended the hearing by way of conference call, the Applicant tenant did not, although I waited until 9:40 A.M. in order to enable the Applicant tenant to connect with this teleconference hearing scheduled for 9:30 A.M.

Rule 7.1 of the Rules of Procedure provides as follows:

7.1 Commencement of the dispute resolution proceeding - The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

Following opening remarks, the landlord said the tenant had vacated the property on approximately September 5, 2018. The landlord said he did not require an Order of Possession as would normally be granted pursuant to section 55 of the *Act*.

Conclusion

The tenant's application for a cancellation of the landlord's 10 Day Notice and for more time to dispute the 10 Day notice is dismissed without leave to reapply.

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 12, 2018

Residential Tenancy Branch