



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LRE, MT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on September 10, 2018, wherein the Tenant requested an Order canceling a 10 Day Notice to End Tenancy issued on September 7, 2018 (the "Notice"), an order for more time to make such an application, and an Order restricting the Landlord's right to enter the rental unit.

The hearing was conducted by teleconference at 9:30 a.m. on October 15, 2018. The line remained open while the phone system was monitored for ten 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

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* provides in part as follow:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.3 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.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As neither party called into the hearing by 9:40 a.m., I dismiss the Tenant's 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: October 15, 2018

Residential Tenancy Branch