



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PODOLLAN'S CONSTRUCTION LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction

This decision pertains to the tenant's application for dispute resolution made on August 22, 2018, under the *Residential Tenancy Act* (the "Act"), for which he sought to cancel a 10 Day Notice to End Tenancy for Unpaid Rent (the "10 Day Notice")

### Issues to be Decided

1. Is the tenant entitled to an order canceling the 10 Day Notice?
2. If the tenant is not entitled to an order cancelling the 10 Day Notice, is the landlord entitled to an order of possession pursuant to section 55 of the Act?

### Background and Evidence

The dispute resolution hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the *Rules of Procedure*, under the Act, requires that a hearing start at the scheduled time unless otherwise set by the arbitrator. Further, Rule 7.3 permits an arbitrator to conduct a hearing in the absence of any party, and may make a decision or dismiss the application, with or without leave to re-apply.

A dispute resolution hearing regarding the tenant's application was scheduled to commence at 11:00 a.m. on October 9, 2018. I dialed into the teleconference at 11:00 a.m. and monitored the teleconference line until 11:00 a.m. Neither the tenant nor the landlord dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution

Proceeding. The Internet monitoring system indicated that I was the only person in attendance.

### Analysis

I find that the application has been abandoned.

### Conclusion

I dismiss the tenant's application, 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 of the Act.

Dated: October 9, 2018

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Residential Tenancy Branch