



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BOB SCHUPBACH
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, AS RP, FF

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy for Cause, to assign or sublet the rental unit, for repairs to the unit, site or property and to recover the filing fee for this proceeding.

This matter was set for hearing at 9:30 a.m. on this date. The applicant failed to attend the hearing by 9:40 a.m.

Residential Tenancy Branch Rules of Procedure, section 10.1, provides:

10.1 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.

In the absence of an appearance by the applicant by 9:40 a.m., this application is abandoned and dismissed with out leave to reapply.

Further, I find pursuant to s. 55(2)(b) of the Act that the Landlord is entitled to an Order of Possession to take effect 1:00 pm on November 30, 2018.

Conclusion

The Tenant's application is dismissed without leave to reapply.

An Order of Possession effective November 30, 2018 has been issued to the Landlord. A copy of the Order must be served on the Tenant: the Order of Possession may be enforced in the Supreme Court of British Columbia.

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: November 06, 2018

Residential Tenancy Branch