



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BUTE STREET PROPERTIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This is an application by the tenant under the *Residential Tenancy Act* (“the Act”) for the following:

- An order to cancel a 10 Day Notice for Unpaid Rent or Utilities (“Ten-Day Notice”) pursuant to section 46

This matter was set for hearing by telephone conference. Neither party attended although I left the teleconference hearing connection open from the time it was scheduled for an additional ten minutes to enable them to call. I confirmed that the Notice of Hearing provided the correct call-in numbers and participant codes. I also confirmed from the teleconference system that I was the only one who had called into this teleconference.

Conclusion

Rule 7.3 of the Rules of Procedure provides as follows:

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 reapply.

As neither the applicant nor the respondent attended the hearing and in the absence of any evidence or submissions, I order the application dismissed with 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: December 19, 2018

Residential Tenancy Branch