



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This teleconference hearing was scheduled in response to an application by the Tenant under the *Residential Tenancy Act* (the “Act”) to cancel a One Month Notice to End Tenancy for Cause (the “One Month Notice”), and for the recovery of the filing fee paid for the Application for Dispute Resolution.

Neither party called into the hearing during the approximately 10 minutes that the phone line was monitored.

Issues to be Decided

Should the One Month Notice to End Tenancy for Cause be cancelled?

If the One Month Notice to End Tenancy for Cause is upheld, is the Landlord entitled to an Order of Possession?

Should the Tenant be awarded the recovery of the filing fee paid for the Application for Dispute Resolution?

Background and Evidence

The teleconference hearing was scheduled for 11:00 am on November 7, 2019. I called into the hearing at 11:00 am and the phone line was monitored until 11:10 am. Neither party called into the hearing during that time. The teleconference codes and call-in numbers were confirmed to be accurate on the Notice of Dispute Resolution Proceeding.

Analysis

Rule 7.1 of the *Residential Tenancy Branch Rules of Procedure* states that the hearing commences at the scheduled time, unless otherwise determined by the Arbitrator. Rule 7.3 of the *Rules of Procedure* states that in the absence of a party, the hearing may be conducted in their absence or the dispute dismissed, with or without leave to reapply.

Due to the absence of both parties, I find that this Application for Dispute Resolution has been abandoned.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply. This decision does not extend any applicable time limits under the *Residential Tenancy Act*. No findings of fact or law were made with respect to the dispute.

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 07, 2019

Residential Tenancy Branch