



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Code CNC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the One Month Notice to End Tenancy for Cause ("Notice"), pursuant to section 47.

The tenant and her advocate (JM) attended the hearing and were given an opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The landlord did not attend.

Preliminary Issue- Adjournment

Rule 7.8 of the Residential Tenancy Branch Rules of Procedure states that at any time after the dispute resolution hearing begins, the arbitrator may adjourn the dispute resolution hearing to another time.

The first hearing of this application was scheduled for January 03, 2020, at 11:00 A.M. Both the applicant and respondent requested this hearing date to be rescheduled. A new hearing was scheduled for today, February 20, 2020, at 9:30 A.M. A new notice of hearing was generated on December 16, 2019. The applicant affirmed she did not serve the new notice of hearing to the landlord.

Rules of Procedure state:

6.1 Arbitrator's role

The arbitrator will conduct the dispute resolution process in accordance with the Act, the Rules of Procedure and principles of fairness.

8.2 Reconvening the dispute resolution hearing

At the arbitrator's discretion, the hearing may be reconvened prior to concluding the proceeding.

I am adjourning this proceeding to reconvene at a new hearing date.

The Notice of Hearing is attached to this interim decision.

The applicant is not required to serve this Notice to the respondent as the Residential Tenancy Branch will mail it to both parties.

Conclusion

Based on the above:

- **I order** this hearing will be reconvened in accordance with the Notice of Hearing documents attached to this Interim Decision;
- **I order** that this is not an opportunity for either party to amend their existing Applications for Dispute Resolution;
- **I order** that this is not an opportunity for either party to submit an additional Application for Dispute Resolution to be crossed or joined with any of the Applications for Dispute Resolution currently before me;
- **I order** that this is not an opportunity for either party to submit additional evidence.

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: February 20, 2020

Residential Tenancy Branch