



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Columbia Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Code CNR

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the Act) for cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities ("the Notice"), issued pursuant to section 46 of the Act.

The respondent (landlord), represented by KM, called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 11:10 A.M. to enable the applicant (tenant) to connect with this teleconference hearing scheduled for 11:00 A.M, the applicant did not attend. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the respondents and I were the only persons who had called into this teleconference.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

Rule 7 – During the hearing

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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 re-apply.

The landlord affirmed the Notice was withdrawn, as the tenant paid all the amount in arrears.

Accordingly, in the absence of any attendance at this hearing by the Applicant I order the application dismissed without 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: April 28, 2020

Residential Tenancy Branch