



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OLC

### Introduction

On March 4, 2020, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 40 of the *Manufactured Home Park Tenancy Act* (the “Act”) and seeking an Order to comply pursuant to Section 55 of the *Act*.

On March 12, 2020, this Application was set down to be heard on May 8, 2020 at 9:30 AM.

R.J. attended the hearing and stated that she was an agent for the Landlord. In addition, she advised that the person noted as the Landlord on the Application was also an agent for the owner/Landlord. The Tenant did not appear during the eleven-minute hearing.

### Background and Evidence

This hearing was scheduled to commence via teleconference at 9:30 AM on May 8, 2020.

Rule 7.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the Arbitrator. The Arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

I dialed into the teleconference at 9:30 AM and monitored the teleconference until 9:41 AM. Only the Respondent dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I confirmed during the hearing that the Applicant did not dial in and I also

confirmed from the teleconference system that the only party who had called into this teleconference was an agent for the Landlord.

### Analysis

As the Applicant did not attend the hearing by 9:41 AM, I find that the Application for Dispute Resolution has been abandoned. Therefore, I dismiss the Tenant's Application without leave to reapply.

### Conclusion

I dismiss the Tenant's Application for Dispute Resolution 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 *Manufactured Home Park Tenancy Act*.

Dated: May 8, 2020

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Residential Tenancy Branch