



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC-MT**

Introduction

This hearing was reconvened as a result of the Tenant's application under the *Residential Tenancy Act* (the "Act") for:

- an order for an extension of time to make an application to cancel a One Month Notice to End Tenancy for Cause ("1 Month Notice") pursuant to section 66; and
- an order for cancellation of the 1 Month Notice pursuant to section 47.

This matter was set for hearing by telephone conference call at 11:00 am (Pacific Time) on March 7, 2022. The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time. A representative ("AS") of the advocacy group that was assisting the Tenant with his application appeared. I confirmed that the correct call-in numbers and participant codes were provided in the Notice of Hearing.

Preliminary Matter – Death of Tenant

AS stated that the Tenant died after making his application for dispute resolution. AS also stated the Tenant's possessions were removed from the rental unit by family.

Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* states:

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 Landlord nor Tenant attended the hearing by 11:10 am, and in the absence of any evidence or submissions, I order the Tenant's application dismissed with leave to reapply. I make no findings on the merits of the matter. The issuance of this decision does not extend any applicable deadlines under the Act.

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: March 11, 2022

Residential Tenancy Branch