



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47.

At the outset of the hearing, the respondent confirmed the proper spelling of their surname, and they also noted that they are not the landlord. As the respondent confirmed the spelling of their name, the application was amended to reflect the proper spelling of their surname.

While the respondent attended the hearing by way of conference call, the tenant applicant did not. At the outset of the hearing, I informed the attending party that I would wait until 9:40 a.m. to enable the tenant to participate in this scheduled hearing for 10:30 am. During the hearing I confirmed from the online teleconference system that the respondent and I were the only ones who had called into this teleconference. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing.

Rule 7.3 of the Rules of Procedure provides as follows:

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.

In the absence of any evidence or submissions from the applicant in this hearing, I order the tenant's entire 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: May 10, 2022

Residential Tenancy Branch