



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, AS, FFT

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- the cancellation of the One Month Notice to End Tenancy for Cause (the "**Notice**") pursuant to section 47;
- permission has been unreasonably withheld pursuant to section 65; and
- authorization to recover the filing fee for this application from the landlords pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 9:40 am to enable them to participate in the hearing which was to start at 9:30 am. I confirmed that the correct call-in numbers and participant codes had been provided on the Notice of Dispute Resolution Proceeding. During the hearing, I used the teleconference system to confirm that I was the only person who had called into the hearing.

Rule of Procedure 7.3 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 re-apply.

In preparing for this hearing, I discovered that a letter dated March 28, 2022 from the landlord dated, in which they purported to withdraw the Notice. I expect this is the reason that neither party called into the hearing.

In any event, in the absence of any evidence or submissions, I order the application dismissed with leave to reapply. I make no findings on the merits of the application. Leave to reapply does not extend any applicable limitation period.

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: June 21, 2022

Residential Tenancy Branch