



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

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

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent pursuant to section 46;
- more time to make an application to cancel the landlord's 10 Day Notice to End Tenancy for Unpaid Rent pursuant to section 66.

While the respondent attended the hearing by way of conference call, the applicant did not, although I waited until 11:10 a.m. in order to enable the applicant to connect with this teleconference hearing scheduled for 11:00 a.m. The applicant should have been aware of the hearing date, time and call in instructions as this dispute was initiated by the applicant and the applicant was required to serve a copy of the notice of hearing on the respondent.

Accordingly, in the absence of the applicant's participation in this hearing, I order the application dismissed without leave to reapply.

The landlord advised that on October 8, 2022, the landlord was successful in obtaining an order of possession and monetary order in a related file; therefore, this application was moot.

Conclusion

The application is 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: October 27, 2022

Residential Tenancy Branch