



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

A proceeding was held in response to the tenant's May 10, 2023 application to dispute a 10 Day Notice to End Tenancy For Unpaid Rent, issued on May 9, 2023.

The landlord filed a cross application for an order of possession, monetary order for unpaid rent, and authorization to recover their filing fee, which was set to be heard at the same time.

The tenant attended the hearing, and although the line remained open for 19 minutes, the landlord did not call in to the hearing.

I confirmed that the correct call-in numbers and participant codes had been provided to the landlord in their own Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the tenant and I were the only persons who had called into this teleconference.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

### **Rule 7 – During the hearing**

#### **7.1 Commencement of the dispute resolution hearing**

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

#### **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.

Accordingly, in the absence of any attendance at this hearing by the landlord, I order the landlord's application dismissed, without leave to reapply.

The tenant says that they no longer reside in the rental unit, and they have paid all rent owing. I grant the tenant's application to cancel the 10 Day Notice.

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 30, 2023

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Residential Tenancy Branch