

DECISION

Dispute Codes: CNC and FF

Introduction

This application was brought by the tenants seeking to have set aside a one month Notice to End Tenancy for cause served on November 12, 2009 and setting an end of tenancy date of December 31, 2009.

Despite having made this application and having been provided with a Notice of Hearing, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing. The respondent landlords did attend. Therefore, the application was dismissed without leave to reapply.

On hearing that determination, the landlords requested an Order of Possession pursuant to section 55(1) of the *Act* which compels the issuance of the order if a tenant's application to set a Notice to End Tenancy fails on its merits or is dismissed.

In order to provide the tenants with reasonable time to find new accommodation after the holiday season, the landlords requested that the order take effect on January 31, 2009. The order, enforceable through the Supreme Court of British Columbia, accompanies the landlords' copy of this decision for service on the tenants.