

## **DECISION**

**Dispute Codes**      CNR, OLC, PSF, RR

### **Introduction**

This hearing was convened by way of conference call to deal with the tenants' application to cancel a notice to end tenancy for unpaid rent or utilities, for an order that the landlord comply with the *Act*, regulation, or tenancy agreement, for an order that the landlord provide services or facilities required by law, and to allow a tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

This hearing was scheduled to commence at 1:30 p.m., however, the tenants did not attend the hearing.

The landlord attended the hearing and provided evidence that the tenants vacated the unit on April 1, 2010, however, they left furniture items in the unit, and asked for an Order of Possession.

### **Analysis**

Since the tenants did not attend the hearing to pursue their application, their application must be dismissed.

Further, if I decline to cancel the notice to end tenancy and the landlord asks for an Order of Possession, under Section 55(1) of the *Residential Tenancy Act*, I must issue an Order of Possession.

### **Conclusion**

The application of the tenants is hereby dismissed without leave to reapply.

I hereby grant the landlord an Order of Possession effective 2 days after service upon the tenants. If the tenants do not vacate the unit in accordance with the order, the order may be filed in the Supreme Court and enforced as an Order of that Court.

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: April 23, 2010.

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Dispute Resolution Officer