

DECISION

Dispute Codes OPL

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlords to obtain an Order of Possession for change of use of the property.

No one was in attendance for either the Landlords or the Tenants.

Issue(s) to be Decided

Are the Landlords entitled to an Order of Possession pursuant to Section 55 of the *Residential Tenancy Act*?

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing.

In the absence of the applicant Landlords and respondent Tenants, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Landlords or respondent Tenants called into the hearing during this time. Based on the aforementioned I find that the Landlords have failed to present the merits of their application and the application is hereby dismissed with leave to reapply.

Conclusion

I HEREBY DISMISS the Landlords' application with 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: May 17, 2010.

Dispute Resolution Officer