



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNR, ERP, RP, FF

Introduction

This hearing was convened in response to an application by the tenants seeking:

1. To cancel a Notice to End Tenancy given for unpaid rent;
2. An Order that the landlord make repairs and emergency repairs;
3. An Order to recover the filing fee.

The applicant tenants did not appear at the hearing. Their application is therefore dismissed. The respondent tenants appeared and requested an Order of Possession based on the Notice to End Tenancy served on December 8, 2010 for unpaid rent.

As the tenants have not appeared to with respect to their application it is as though no such application was filed. In these situations, the *Residential Tenancy Act* provides that the tenants have been deemed to have accepted the end of the tenancy on the date set out in the Notice. Based on that Notice this tenancy ended on December 18, 2010 and the landlord has requested an Order of Possession and, as this tenancy has ended, he is entitled to that Order which will be effective 2 days after service on the tenants.

The landlord is provided with a formal Order of Possession. Should the tenants fail to comply with this Order, this Order is enforceable as an Order of the Supreme Court of British Columbia.