



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC

Introduction

This matter dealt with an application by the Tenants to cancel a 1 Month Notice to End Tenancy for Cause (the "Notice") issued by the Landlord on December 14, 2010.

The hearing started at 2:00 p.m. as scheduled, however by 2:15 p.m., the Tenants had not dialled into the conference call. In the absence of any evidence from the Tenants to support their application, it is dismissed. Given also that the time limits for applying to cancel a Notice to End Tenancy under s. 47(4) and s. 66(3) of the Act have now expired, the Tenants' application is dismissed without leave to reapply.

The Landlord's Agent appeared and testified that the Tenants have been served three notices to end tenancy for cause, the most recent one being the Notice on December 14, 2010 which is the subject of this dispute. I allowed the Landlord's Agent to fax a copy of the Notice following the hearing which had not been placed into evidence by the Tenants.

The Landlord's Agent requested an Order of Possession during the hearing. Therefore I find that the Landlord is entitled to an order of possession effective on **January 31, 2011, at 1:00 p.m.** after service on the Tenants. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenants' application is dismissed without leave to reapply.

The Landlord is granted an Order of Possession effective on January 31, 2011 at 1:00 p.m.

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: January 12, 2011.

Residential Tenancy Branch