



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPR, MNR, FF

This hearing was convened by way of conference call to deal with the landlord's application for an Order of Possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, and to recover the filing fee from the tenants for the cost of this application.

An agent for the landlord company attended the conference call hearing. One of the named tenants also attended with her daughter to assist, who advised at the outset of the hearing that the daughter now resides in the rental unit with the tenant, and the other named tenant no longer resides there.

The tenants stated that they had spoken with the owner of the property who told them that they did not have to move and that they should ignore the notice to end tenancy. The landlord's agent was permitted to leave the hearing for a short time to converse with the owner in order to determine if that was in fact the case. After 35 minutes, the landlord's agent did not return to the conference call hearing and I dismissed the landlord's application with leave to reapply. I made no findings of fact or law with respect to the merits of this application.

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 14, 2011.

Residential Tenancy Branch