



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

Dispute Codes      CNC, OLC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants for an order to cancel a One Month Notice to End Tenancy for Cause and an order requiring the Landlord to comply with the Act, regulation or tenancy agreement.

### Issue(s) to be Decided

Are the Tenants entitled to an Order cancelling the One Month Notice to End Tenancy for Cause and requiring the Landlord to comply with the Act, regulation or tenancy agreement?

### Background and Evidence

This matter was set for hearing at 9:30 a.m. on this date. The applicants failed to call into the conference call hearing by 9:45 a.m. The *Residential Tenancy Act* states:

#### *Commencement of the dispute resolution proceeding*

*The dispute resolution proceeding must commence at the scheduled time unless otherwise decided by the Dispute Resolution Officer. The Dispute Resolution Officer may conduct the dispute resolution proceeding in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.*

In the absence of an appearance by the applicants by 9:45 a.m. and in light of an appearance by the respondent, I consider this application abandoned and I **dismiss** without leave to reapply.

The Landlord requested an Order of Possession during the hearing. Therefore I find that the Landlord is entitled to an order of possession effective on **2 days** 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 2 days after service on the Tenants.

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: March 21, 2011.

---

Residential Tenancy Branch