



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND REASONS

Dispute Codes CNR, FF

This matter dealt with the tenants' Application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, and to recover the filing fee for this application.

Rule 10.1 of the Residential Tenancy Branch Rules of Procedure provides as follows:

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

The hearing started at 1:00 p.m. as scheduled; however by 1:13 p.m., the only participant who called into the hearing during this time was the respondent/landlord.

The applicants/tenants failed to attend to present their claim, and the respondent/landlord appeared and was ready to proceed.

Conclusion

I therefore dismiss the tenants' application, **without leave to reapply**.

The landlord requested an **Order of Possession** during the hearing. Therefore I find that the landlord is entitled to and I grant an **Order of Possession** effective **2 days** after service on the tenant.

I am enclosing an Order of Possession with the landlord's Decision. This Order is a **legally binding, final Order**, and may be filed in the Supreme Court of British Columbia should the tenant fail to comply with this Order of Possession.

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: October 07, 2011.

Residential Tenancy Branch