



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, MNR, RP, RR, FF

### Introduction

Pursuant to the *Residential Tenancy Act*, R.S.B.C. (the *Act*) and amendments thereto I was designated to hear this matter under section 58. This hearing dealt with an application pursuant to the *Act* in which the tenants applied for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- an order to the landlord to make repairs to the rental unit pursuant to section 33; and
- an order to be allowed to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65; and
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

While the Respondent attended the hearing by way of conference call, the Applicants/tenants did not, although I waited until 1:40 p.m. in order to enable them to do so. The Respondent attended the hearing and was given a full opportunity to be heard, to present evidence and to make submissions. She testified that she and the tenants have reached a resolution of the tenants' dispute by which the landlord will no longer be seeking to act on her 1 Month Notice.

Rule 10.1 of the Rules of Procedure provides as follows:

**10.1 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 any evidence to the contrary from the Applicants, I order their application dismissed without liberty to reapply.**

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: November 14, 2011

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Residential Tenancy Branch