



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB, FF, O

Introduction

This hearing was convened by way of conference call in response to an application made by the landlords for an Order of Possession for breach of an agreement and to recover the filing fee from the tenants for the cost of this application.

The landlords attended the conference call hearing, however, despite being served with the Landlord's Application for Dispute Resolution and notice of hearing documents personally upon each of the tenants, none of the tenants attended.

During the course of the hearing, the landlords advised that the tenants vacated the rental unit about 2 days prior to the hearing. The landlords noticed the unit abandoned with the door open. Therefore, the landlords' application for an Order of Possession is dismissed as withdrawn.

Since the landlords have not been successful with the application, I decline to order that the landlords recover the filing fee from the tenants.

Conclusion

For the reasons set out above, the landlords' application is hereby dismissed without leave 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: January 03, 2012.

Residential Tenancy Branch