



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, SS, O

This matter was set for a telephone conference call hearing at 10:30 a.m. on this date to address a claim by the applicants for an order setting aside a notice to end this tenancy and compensation for losses resulting from the failure of a refrigerator. The line remained open while the phone system was monitored for 10 minutes. During this period, the respondents joined the hearing but the applicants did not. As the applicants did not appear by 10:40 to advance their claim and as the respondents appeared and were prepared to proceed, I dismiss the application without leave to reapply. The applicants had submitted documents in support of their claim which included two affidavits, only one of which was signed. As they did not appear at the hearing to enter these documents into evidence, the documents have not been considered.

During the hearing the landlords made a request under section 55 of the legislation for an order of possession. Under the provisions of section 55, upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: February 01, 2012

Residential Tenancy Branch