



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened on the tenants' application of February 23, 2012 to have set aside a Notice to End Tenancy for cause served on February 23, 2012 and setting an end of tenancy date of March 31, 2012.

Despite having made the application that caused this hearing to be convened, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing.

Therefore, the application is dismissed without leave to reapply.

On hearing that determination, the landlord requested an Order of Possession under section 55(1) of the *Act* which compels the issuance of the order on the landlord's oral request when, on a tenant's application to set aside the Notice to End Tenancy is upheld or the tenant's application is dismissed.

As a matter of note, the landlord stated that the notice had been served after the tenants had on two occasions in the past two months failed to prepare the rental unit for treatment for a bedbug infestation. On both occasions, pest control personnel had attended the rental unit but were unable to proceed because of boxes piled high in the rental unit and much of the floor being inaccessible due to materials and a mattress on the floor.

The landlord stated that he has been attempting to eradicate bedbugs in the building for some time. He said the subject unit is currently is the only one that remains infested and it is essential that it be prepared and treated to avoid further spreading.

Conclusion

The tenants' application to set aside the Notice to End Tenancy of February 23, 2012 is dismissed as the tenants did not attend the conference call hearing.

The landlord's copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, to take effect at 1 p.m. on March 31, 2012.

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 13, 2012.

Residential Tenancy Branch