



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT CNC OLC AAT LAT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to allow more time to make their application to cancel a Notice to end tenancy, to obtain an Order to cancel a Notice to end tenancy for cause, to have the Landlord ordered to comply with the Act, regulation, or tenancy agreement, to suspend or set conditions on the Landlord's right to enter the rental unit, to allow the Tenants access to the unit or site for the Tenant or Tenant's guests, and to authorize the Tenants to change the locks to the rental unit.

No one was in attendance at the scheduled teleconference hearing for either the applicant Tenants or the respondent Landlord.

Issue(s) to be Decided

1. Has a valid 1 Month Notice to end tenancy for cause (the Notice) been issued and served upon the Tenants in accordance with sections 52 and 47 of the *Residential Tenancy Act*, (the Act)?
2. If so, has the Landlord met the burden of proof to have this tenancy ended in accordance with section 47 of the Act?
3. Has the Landlord breached the *Act*, regulation or tenancy agreement?

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the

Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing.

In the absence of the applicant Tenants and respondent Landlord, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenants or respondent Landlord called into the hearing during this time. Based on the aforementioned I find that the Tenants have not presented the merits of their application and the application is hereby dismissed with leave to reapply.

Conclusion

I HEREBY DISMISS the Tenants' application, with 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: March 13, 2012.

Residential Tenancy Branch