



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC FF

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act"), seeking to cancel a 1 Month Notice to End Tenancy for Cause; and to recover the filing fee.

The tenants appeared by conference call and gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

The landlord did not appear by conference call. The tenants stated that on May 29, 2012, a hearing involving the same tenancy of the same rental unit was heard before another Dispute Resolution Officer and a file number was provided. That Decision was reviewed and it was determined that an order of possession was granted to the landlord on June 4, 2012, to end the tenancy early.

Preliminary and Procedural Matter

Given the above-mentioned Decision dated June 4, 2012, which resulted in the landlord being granted an order of possession to end the tenancy early, I dismiss the tenants' application to dispute the 1 Month Notice to End Tenancy for Cause dated May 13, 2012; and to recover the filing fee.

Conclusion

I dismiss the tenants' application without leave to reapply as the landlord has received an order of possession for the same rental unit and for the same tenants.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: June 6, 2012

Residential Tenancy Branch