



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MT, CNC

### Introduction

This hearing was convened by way of conference call in response to the tenants' application for more time to cancel a notice to end tenancy and to cancel a one month notice to end tenancy.

The matter was set to be heard at 09.00 a.m. on this date. The hearing went ahead as scheduled and the respondent's agent dialed in to the hearing. However, after waiting for more than 10 minutes the tenants failed to dial into the conference call. Therefore, as the tenants' have failed to present the merits of their application no hearing took place and the tenants' application is dismissed without leave to reapply.

The landlord has requested that the one month notice be upheld and requests an Order of Possession for July 31, 2012.

### Analysis

Pursuant to section 55(1) of the *Residential Tenancy Act (Act)*:

**55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant an order of possession of the rental unit to the landlord if, at the time scheduled for the hearing,

- (a) the landlord makes an oral request for an order of possession, and
- (b) the director dismisses the tenant's application or upholds the landlord's notice.

On the basis of this, I uphold the landlords one month notice to end tenancy and grant the landlord an Order of Possession.

### Conclusion

The tenants' application is dismissed in its entirety.

An Order of Possession has been issued to the landlord. A copy of the Order must be served on the tenants and the tenants must vacate the rental unit by **July 31, 2012**.

The Order of Possession may be enforced in the Supreme Court of British Columbia.

I further Order that the applicant pay the filing fee of **\$50.00** that was previously waived to the director of the Residential Tenancy Office.

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: July 23, 2012.

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Residential Tenancy Branch