



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was scheduled to convene at 1:00 on this date by way of conference call in response to an application made by the tenants for an order cancelling a notice to end tenancy for unpaid rent or utilities.

One of the named landlords attended the conference call hearing, however neither of the 2 named tenants attended. The line remained open while the phone system was monitored for 10 minutes and the only participant who joined the call was the landlord. The applicants failed to attend to present their claim, and the respondent appeared and was ready to proceed.

In the absence of the party who made the application, I dismiss the claim without leave to reapply. I made no findings of fact or law with respect to the merits of this matter.

However, during the course of the hearing, the landlord requested an Order of Possession. The *Residential Tenancy Act* states that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, I must grant an Order of Possession of the rental unit to the landlord if, at the time scheduled for the hearing the landlord makes an oral request for an Order of Possession and I dismiss the tenant's application. The landlord orally requested an Order of Possession, and I hereby grant an Order of Possession in favour of the landlords on 2 days notice to the tenants.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed.

I hereby grant an Order of Possession in favour of the landlords on 2 days notice to the tenants.

This order is final and binding on the parties and may be enforced.

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: November 22, 2012.

Residential Tenancy Branch