



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants under the *Residential Tenancy Act* (the “Act”) to cancel a 1 Month Notice to End Tenancy for Cause (the “Notice”), and to recover the filing fee.

The tenants were provided with a copy of the Notice of a Dispute Resolution Hearing when they made their application dated December 10, 2012. The tenants, however, did not attend the hearing set for today at 9:30 a.m. The phone line remained open for eleven minutes and was monitored throughout this time. The only party to call into the hearing was the landlord.

Analysis and Conclusion

Following an eleven minute waiting period, **the application of the tenants was dismissed without leave to reapply.**

After the application of the tenants was dismissed, the landlord made an oral request for an order of possession. Based on the undisputed testimony of the landlord, the effective date on the Notice was December 31, 2012. Pursuant to section 55 of the *Act*, **I grant** the landlord an order of possession effective **December 31, 2012 at 1:00 p.m.** The order of possession must be served on the tenants and may be filed in the Supreme Court and enforced as an order of that court.

This decision is final and binding on the parties, except as 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: December 28, 2012.

Residential Tenancy Branch