



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MT, FF

### Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenant applied for an order granting more time to make an application to cancel a notice to end tenancy and for recovery of the filing fee paid for this application.

The hearing began at 9:00 a.m. as scheduled and the telephone system remained open and was monitored for 11 minutes. During this time, the applicant/tenant did not dial into the telephone conference call hearing; however the landlords were present and ready to proceed with the hearing. During the hearing, the landlords made an oral request for an order of possession for the rental unit.

*Preliminary matter*-Although the tenant did not mark on her application that she was disputing a notice to end the tenant's undisputed evidence, the details in her application and her request for additional time to file an application to dispute a notice made clear this was her intention. I have therefore amended her application to include a request to cancel the 1 Month Notice to End Tenancy for Cause (the "Notice"), as supplied in evidence by the tenant. As a matter of note, the Notice was served on the tenant September 17, 2014, according to the landlords, and therefore the tenant's application made on September 19, 2014, was within the allowed time prescribed by the Act.

*Preliminary matter#2*-Although the tenant listed only PS as a landlord, I have further amended the tenant's application to include MS, due to the evidence supplied by the landlord that both parties were landlords.

Analysis and Conclusion

In the absence of the tenant to present her application, pursuant to section 10.1 of the Dispute Resolution Rules of Procedure (Rules), I dismiss the tenant's application, without leave to reapply.

As I have dismissed the tenant's application for dispute resolution, under section 55(1) of the Act, I must grant the order of possession to the landlords due to their oral request during the hearing.

I therefore grant the landlords an order of possession for the rental unit effective 2 days after service on the tenant. This final, legally binding order of possession is enclosed with the landlords' Decision and must be served upon the tenant to be enforceable.

Should the tenant fail to vacate the rental unit pursuant to the terms of the order, this order may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court. The tenant is advised that costs of such enforcement are recoverable from the tenant.

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* and is being mailed to both the applicant and the respondents.

Dated: November 7, 2014

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Residential Tenancy Branch

