



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, O

Introduction

This hearing dealt with the tenants' application to cancel a notice to end tenancy for unpaid rent. The tenants and the landlord participated in the teleconference hearing.

I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Preliminary Issue

At the outset of the hearing, which commenced as scheduled at 11:00 a.m. on March 16, 2015, the landlord was in attendance but the tenants were not. Before the tenants called in to the hearing the landlord orally requested an order of possession.

Issue(s) to be Decided

Is the notice to end tenancy valid?

If so, is the landlord entitled to an order of possession?

Background and Evidence

On February 6, 2015 the landlord served the tenants with a notice to end tenancy for unpaid rent. The notice indicated that on February 1, 2015 the tenants owed "\$750 x 6." The landlord stated that he has not received any rent from the tenants since he took over the building. In the hearing the tenants did not dispute the amount of rent owing and the landlord orally requested an order of possession.

Analysis

The notice to end tenancy is valid. The tenants did not dispute that they owed the amount of rent indicated on the notice. I therefore dismiss the tenants' application to cancel the notice.

When a tenant applies to cancel a notice and their application is dismissed, if the landlord in the hearing orally requests an order of possession, I must grant the order of possession. The landlord orally requested an order of possession. Accordingly I grant the landlord an order of possession.

Conclusion

The tenants' application is dismissed.

I grant the landlord an order of possession effective two days from service. The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: March 16, 2015

Residential Tenancy Branch

