



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Introduction

This telephone conference call hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act ("Act"). The tenants applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities ("Notice") issued by the landlord.

The hearing began at 10:30 a.m. as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, the applicants/tenants did not dial into the telephone conference call hearing; however the landlord's agent (hereafter "landlord") was present and ready to proceed with the hearing. During the hearing, the landlord made an oral request for an order of possession for the rental unit.

Although the tenants failed to provide a copy of the Notice for which they sought cancellation, the landlord submitted that the Notice was attached to the tenants' door on May 3, 2015, listing unpaid rent of \$820.00, as of May 1, 2015, and an effective move-out date of May 13, 2015. The landlord submitted further that the tenants have failed to pay rent for May or June 2015.

### Analysis and Conclusion

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

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

I therefore grant the landlord an order of possession for the rental unit effective 2 days after service of the order on the tenants by the landlord.

Should the tenants 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 tenants are advised that costs of such enforcement are recoverable from the tenants.

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: June 24, 2015

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Residential Tenancy Branch

