



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDC, O, OLC, PSF, RP, RR

Introduction

The applicants failed to appear at the scheduled time for the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing in the absence of the applicants.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the 2 month Notice to End Tenancy dated August 24, 2015 and setting the end of tenancy for October 31, 2015?
- b. Whether the tenant is entitled to an order for repairs?
- c. Whether the tenant is entitled to an order for the abatement of past or future rent and if so how much?
- d. Whether the tenant is entitled to a monetary order?
- e. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The tenancy began on July 28, 2014. The rent was \$950 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$475 at the start of the hearing.

Analysis

The applicants failed to attend the hearing. The respondent was present and ready to proceed. As a result I ordered that the application be dismissed without liberty to re-apply.

I dismissed the tenant's application to cancel the two month Notice to End Tenancy dated August 24, 2015 and setting the end of tenancy for October 31, 2015.. I order that the tenancy shall end on the date set out in the Notice.

Order for Possession:

The Residential Tenancy Act provides that where a landlord has made an oral request for an Order for Possession at a hearing where an arbitrator has dismissed a tenant's application to set aside a Notice to End Tenancy, the arbitrator must grant an Order for Possession. The landlord made this request at the hearing. As a result I granted the landlord an Order for Possession effective October 31, 2015..

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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: October 05, 2015

Residential Tenancy Branch

