



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, MT, FF

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, an order cancelling the landlord's 1 Month Notice to End Tenancy for Cause, 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 as scheduled. The applicants/tenants did not dial into the telephone conference call hearing; however the landlord was present and ready to proceed with the hearing. During the hearing, the landlord stated that the tenants informed him they would be vacating the rental unit at the end of November, and that he accepted that they would.

It is noted that approximately 5-6 minutes into the hearing, a fire alarm sounded in the office building and it was necessary for the undersigned to suddenly vacate the premises. The hearing concluded at that point. The monitoring records of the Residential Tenancy Branch ("RTB") show that no one else attempted to dial into the telephone conference call hearing during the allotted time frame.

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 due to the attendance of the landlord.

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: November 17, 2015

Residential Tenancy Branch

