



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **REVIEW HEARING DECISION**

Dispute Codes      OPR, MNR

### Introduction

This review hearing was scheduled in response to an Application for Direct Request (the "Application") made by the Landlords for an Order of Possession and a Monetary Order for unpaid rent.

The Landlords had made their original Application on August 20, 2015 through the Direct Request process which involves a non-participatory hearing based on an undisputed 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "Notice").

On September 1, 2015, the Adjudicator or who had conduct of that non participatory hearing rendered a written decision and issued the Landlords with an Order of Possession. This finding was made on the basis that the Tenants had failed to pay rent or dispute the Notice within the time limits stipulated by the *Residential Tenancy Act* (the "Act"). However, the Landlords' Application for a Monetary Order was dismissed with leave to re-apply because the Landlord had failed to satisfy the service requirements of Section 89 of the Act.

However, the Tenants applied for a review of the Direct Request decision. On September 24, 2015 the Arbitrator who had conduct of the Tenants' review application determined that a review hearing should be convened to hear the matter again; the decision and order dated September 1, 2015 was suspended until the outcome of this review hearing which is now before me.

However, there was no appearance by the Tenants or the Landlord for this hearing despite the telephone line being left open for ten minutes. As the Tenants had been granted this review hearing and there was no appearance by them, pursuant to Section 82(3) of the Act, the original decision and order dated September 1, 2015 is hereby confirmed.

Conclusion

For the reasons set out above, I confirm the decision and Order of Possession granted by the original Adjudicator dated September 1, 2015. This file is now closed.

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: December 22, 2015

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Residential Tenancy Branch

