



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the landlord: OPC MNR FF
For the tenants: CNC MNDC OLC ERP RP LRE LAT AS

Introduction

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The landlord applied for an order of possession for rent or utilities, for a monetary order for unpaid rent or utilities, and to recover the cost of the filing fee.

The tenants applied to cancel a 1 Month Notice to End Tenancy for Cause, for a monetary order of \$400.00 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, for the landlord to make emergency repairs for health or safety reasons, to make regular repairs to the unit, site or property, for an order suspending or setting conditions on the landlord’s right to enter the rental unit, for authorization to assign or sublet as the landlord has unreasonably withheld permission to do so, and for authorization to change the locks to the rental unit.

The hearing began promptly at 11:00 a.m. Pacific Time on Wednesday, January 13, 2016, as scheduled and the telephone system remained open and was monitored for 32 minutes. The only party to call into the teleconference hearing was the landlord. Following the ten minute waiting period, **the application of the tenants was dismissed without leave to reapply** as the tenants failed to attend the hearing to present the merits of their application.

After the tenants’ application was dismissed without leave to reapply, the landlord explained that the landlord was already successful with obtaining both an order of possession and monetary order for unpaid rent through the Direct Request process. As

a result, I find the landlord's application to be moot as the landlord has already obtained an order of possession and a monetary order for unpaid rent. Given the above, I dismiss the landlord's application as I find it to be moot.

Conclusion

The tenants' application has been dismissed without leave to reapply.

The landlord's application is moot and is dismissed as a result.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: January 20, 2016

Residential Tenancy Branch

