



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDC, OLC, RPP, FF, O

Introduction

This hearing was convened upon the application of the tenants pursuant to the *Residential Tenancy Act* (the Act) for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order requiring the landlord to return the tenants' personal property pursuant to section 65;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72; and
- an "other" remedy.

While the landlord attended the hearing by way of conference call, the tenants did not, although I waited until 0942 in order to enable the applicants to connect with this teleconference hearing scheduled for 0930.

Rules 7.1 and 7.3 of the Rules of Procedure establish the consequences of failing to appear at a hearing at the scheduled time:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

Accordingly, in the absence of any evidence or submissions from the applicants and in the absence of the applicants' participation in this hearing, I order the tenants' application dismissed without leave to reapply.

At the hearing the landlord informed me that the tenants have vacated the rental unit. As the tenants have vacated the rental unit is not necessary to issue an order of possession as possession of the rental unit has transferred to the landlord.

Conclusion

The application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: February 02, 2016

Residential Tenancy Branch

